

BOARD FOR CONTRACTORS BOARD MEETING

MINUTES

The Board for Contractors met on Tuesday, July 13th, 2010 at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 13 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Dorothy Wood, Chairman
Mark Cronin
Bailey Dowdy
Herbert "Jack" Dyer, Jr.
Robert M. Kirby
Michael Redifer
William Rusher
Troy Smith
Homer Pete Sumpter
Deborah Lynn Tomlin
Wyatt Walton
Bruce Williams

Kenneth Hart and Jack Miller were not present at the meeting.

Staff members present for all or part of the meeting were:

Gordon Dixon, Director
Mark Courtney, Deputy Director, LRD
Eric L. Olson, Executive Director
Sheila Watkins, Administrative Assistant
Karen Bullock, Administrative Assistant
Victoria Traylor, Legal Analyst
Earlyne Perkins, Legal Analyst
Whitney Fulcher, Licensing Education Specialist
Adrienne Mayo, Regulatory Boards Administrator
Steven Jack, Assistant Attorney General
Mindy Spruill, Office Manager

Chairman Dorothy Wood called the meeting to order at 9:12 a.m. and declared a quorum of board members was in attendance.

**Call
To Order**

A motion was made by Ms. Tomlin and seconded by Mr. Sumpter to approve the agenda. The motion passed unanimously. Members voting "Yes" were: Tomlin, Dyer, Rusher, Sumpter, Smith, Kirby, Redifer, Dowdy, Cronin, Wood, Williams and Walton.

Approval of the Agenda

Hart and Miller were absent.

Ms. Tomlin moved to approve the following minutes as submitted from the:

Approval of Minutes

April 20, 2010 Board for Contractors Meeting
March 2, 2010 Informal Fact Finding Conference
March 11th, 2010 Informal Fact Finding Conference
March 30th, 2010 Informal Fact Finding Conference
April 8th, 2010 Informal Fact Finding Conference
April 13th, 2010 Informal Fact Finding Conference
April 15th, 2010 Informal Fact Finding Conference
April 19th, 2010 Informal Fact Finding Conference
April 20th, 2010 Informal Fact Finding Conference
April 23rd, 2010 Informal Fact Finding Conference
April 28th, 2010 Informal Fact Finding Conference
May 4th, 2010 Informal Fact Finding Conference
May 6th, 2010 Informal Fact Finding Conference
May 11th, 2010 Informal Fact Finding Conference
May 18th, 2010 Informal Fact Finding Conference
May 20th, 2010 Informal Fact Finding Conference
May 26th, 2010 Informal Fact Finding Conference
June 8th, 2010 Informal Fact Finding Conference
June 9th, 2010 Informal Fact Finding Conference

Mr. Cronin seconded the motion and it was unanimously approved by members:

Mr. Kirby offered an amendment accepted by Tomlin to make a correction on Page 2 to include the word quorum and also make a correction on page 101 under the Election to correct the name of Dorothy Wood. The motion passed unanimously. Members voting "Yes" were: Tomlin, Dyer, Rusher, Sumpter, Smith, Kirby, Redifer, Dowdy, Cronin, Wood, Williams and Walton.

Hart and Miller were absent.

There was public comment from Mr. Bernard Voyten, shared comments with the Board. He voiced his dissatisfaction with the administrative process that is currently in place. Mr. Bernard Voyten also expressed that he would suggest that the Board revamp its process. The Board thanked him for sharing his concerns.

Public Comment Period

Mr. Jeffrey Hall, shared his comments with the Board. He voiced his dissatisfaction with the Recovery Fund Case process that is currently in place. The Board thanked him for sharing his concerns.

In the matter of Recovery Fund File Number 2009-02936, **Wayne & Sherrie Putman (Claimants) vs. Stone Image LLC (Regulant)**; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Stone Image LLC (Regulant)** did not appear at the board meeting. **Wayne and Sherrie Putman (Claimants)** did attend the Board meeting. They addressed the Board and shared their agreement with the recommendation.

File Number
2009-02936
Wayne and Sherrie Putman
(Claimants) and Stone Image
LLC (Regulant)

Mr. Redifer and Mr. Rusher, the Board's Hearing Representatives were not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Dyer, Sumpter, Smith, Kirby, Dowdy, Cronin, Wood, Williams and Walton.**

Hart and Miller were absent. **Redifer and Rusher** did not vote and were not present.

In the matter of Recovery Fund File Number 2009-02907, **Charles and Beverly Carroll (Claimant) vs. Remodeling Professionals and Craftsmen, Inc (Regulant)**; the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Remodeling Professionals and Craftsmen, Inc (Regulant)** did not appear at the board meeting. **Charles and Beverly Carroll (Claimant)** did attend the Board meeting. They addressed the Board and shared their agreement with the recommendation.

File Number
2009-02907
Charles and Beverly Carroll
(Claimant) and Remodeling
Professionals and Craftsmen,
Inc (Regulant)

Mr. Rusher, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Ms. Tomlin** and seconded by **Mr. Sumpter** to adopt the claim review and the hearing officer's recommendations and summary and to pay the claim in the amount of \$20,000.00. The Claim Review and Summary are incorporated as a part of this Order. The Board adopts the hearing officer's recommendations. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Dyer, Sumpter, Smith, Kirby, Redifer, Dowdy, Cronin, Wood, Williams and Walton.**

Hart and Miller were absent. Mr. Rusher was not present.

In the matter of Recovery Fund File Number 2009-04207, Stanley and June Johnston (Claimant) vs. Rescom Inc (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Rescom Inc (Regulant)** did not appear at the board meeting. **The Johnston's (Claimants)** did attend the Board meeting. They addressed the Board and shared their agreement with the recommendation.

File Number
2009-04207
Stanley and June Johnson
(Claimant) Rescom Inc
(Regulant)

Mr. Rusher, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Dyer** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim in the amount of **\$13,605.00**. The Claim Review and Summary are incorporated as a part of this Order. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Dyer, Sumpter, Smith, Kirby, Redifer, Dowdy, Cronin, Wood, Williams and Walton.**

Hart and Miller were absent. Rusher did not participate.

In the matter of Recovery Fund File Number 2009-04317, Dennis and Mary O'Dell (Claimants) vs. Virginia Custom Construction LLC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Virginia Custom Construction LLC (Regulant)** did not appear at the board meeting in person or by counsel or by any other qualified representative. **Dennis & Mary O'Dell (Claimants)** did not attend the Board meeting.

File Number
2009-04317
Dennis & Mary O'Dell
(Claimants) vs Virginia Custom
Construction LLC (Regulant)

Mr. Rusher, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mrs. Tomlin** to adopt the claim review and the hearing officer's recommendations and summary for violations and pay the claim in the amount of **\$20,000.00**. After Board discussion, **Mr. Sumpter** withdrew the motion. **Mr. Dyer** offered a motion seconded by **Mr. Kirby** to adopt the claim review and the summary but to reject the Recommendation and **deny payment** of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board orders that this claim be denied based on the claim not meeting the statutory criteria of the wrong taking or conversion of money, property or other things of value which involves fraud, material misrepresentation or conduct constituting gross negligence, continued incompetence, or intentional violation of the Uniform Statewide Building Code. The motion passed by majority vote. Members voting "Yes" were: **Dyer, Smith, Kirby, Dowdy, Wood, Cronin, Williams, Miller and Walton.** Members voting "no" were: **Tomlin and Sumpter.**

Hart and Miller were not present and did not vote. Mr. Rusher was absent.

In the matter of Recovery Fund File Number 2009-04602, Gene R. Carter (Claimants) vs. Regency Homes LC (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Regency Homes LC (Regulant)** did not appear at the board meeting. **Lillian Carter (Claimant)** did attend the Board meeting. She shared her agreement with the recommendation for payment.

File Number
2009-04602
Gene R. Carter (Claimant) an
Regency Homes LC (Regulant)

Mr. Rusher, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Dyer** to adopt the claim review. The Board adopts the hearing officer's recommendations and summary for violations and pay the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board found that the language in the order that supports the conclusion that the court found that the conduct of **Regency Homes LC** involved improper or dishonest conduct. The motion passed by majority vote. Members voting "Yes" were: **Tomlin, Dyer, Sumpter, Smith, Kirby, Redifer, Dowdy, Cronin, Wood, Williams and Walton.**

Hart and Miller were absent. Rusher did not participate.

In the matter of Recovery Fund File Number 2010-00026, Stacey and Thomas L Cartwright (Claimants) vs. Mid-Atlantic Corporation (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Mid-Atlantic Corporation (Regulant)** did not appear at the board meeting. **Thomas L Cartwright (Claimant)** did attend the Board meeting. He addressed the Board and shared his agreement with the Recommendation to pay \$20,000.00.

File Number
2010-00026
Stacey & Thomas L Cartwrigl
(Claimant) and Mid-Atlantic
Corporation (Regulant)

Mr. Rusher, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Dyer** to adopt the claim review and the hearing officer's recommendations and summary and payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board finds that language in the judgment order does support the conclusion that the court found that the conduct of **Mid-Atlantic Corporation** involved improper or dishonest conduct. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Dyer, Rusher, Sumpter, Smith, Kirby, Redifer, Dowdy, Cronin, Wood, Williams and Walton.**

Hart and Miller were absent. Rusher did not participate.

In the matter of Recovery Fund File Number 2010-00060, Randolph and Heather Carila (Claimants) vs. Prestige Pools of Va. Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Prestige Pools of Va. Inc. (Regulant)** did not appear at the board meeting. **Randolph Carila (Claimants)** attended the Board meeting. He addressed the Board and shared their agreement with the Recommendations for payment in the amount of \$8,294.00. Victoria Traylor shared that a fax handout was available for Board review.

File Number
2010-00060
Randolph and Heather Carila
(claimants) vs. Prestige Pools
of Va. Inc. (Regulant)

Mr. Rusher, the Board's Hearing Representative was not present and did not participate during the discussion or the vote.

After discussion, a motion was made by **Mr. Cronin** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer's recommendations and summary and deny payment of the claim in the amount of **\$8,294.00**. The motion passed by majority "yes" vote. Members voting were: **Tomlin, Dyer, Sumpter, Smith, Kirby, Redifer, Dowdy, Cronin, Wood, Williams and Walton**.

Hart and Miller were absent. Rusher did not participate.

In the matter of Recovery Fund File 2010-01579, William and Natalie Montminy (Claimant) and Somerset Homes, t/a Somerset Development Company (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number
2010-01579
William and Natalie Montmin
(Claimant) Somerset Homes, t
Somerset Development Compa
(Regulant)

Somerset Homes (Regulant), did not attend the Board meeting. **William and Natalie Montminy (Claimant)** did attend the Board meeting. They addressed the Board and shared their agreement.

After discussion a motion was made by **Mr. Williams** and seconded by **Mr. Cronin** to adopt the claim review and amend the hearing officer's recommendations to include the payment of \$529.00 in additional attorney's fees and summary and approve the claim for payment in the amount of **\$12,424.00**. There was discussion by Board members with advice from the Attorney General concerning no fees for attorney services having been awarded by the Court. Mr. Williams withdrew his motion before the vote.

After further discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Walton** to adopt the claim review and the hearing officer's recommendations and summary and approve the claim for payment in the amount of **\$11,495.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board finds that language in the judgment order does support the payment of the claim.

The motion passed by unanimous vote. Members voting "Yes" were: Tomlin, Dyer, Sumpter, Smith, Kirby, Redifer, Dowdy, Cronin, Wood, Williams and Walton.

Hart and Miller were absent. Rusher did not participate.

In the matter of Recovery Fund File 2010-01658, Steven Viscidi (Claimant) and M C H I Inc (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number
2010-01658
Steven Viscidi (Claimant) vs
M C H I Inc. (Regulant)

Steven Viscidi (Claimant) did appear at the Board meeting. He addressed the Board. M C H I Inc. (Regulant) did not appear at the Board meeting in person or by counsel or by any other qualified representative.

Mr. Rusher the Board's hearing officer was not present, did not participate and did not vote.

After discussion a motion was made by Mr. Sumpter and seconded by Mrs. Tomlin to adopt the claim review, summary, and the hearing officer's recommendations which contain the facts regarding the recovery fund claim in this matter. The Claim Review and Summary are incorporated as a part of the Order. The Board finds there is language in the order that supports payment of the claim. There was discussion lead by Mr. Dyer concerning possible contract discrepancies as it is related to two of the payments that were made and to whom they were made.

After discussion the Board voted to approve payment of the claim in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "yes" were: Redifer, Dyer, Tomlin, Cronin, Sumpter, Smith, Kirby, Walton, Dowdy, Wood, and Williams.

Rusher did not participate and did not vote. Hart and Miller were absent.

In the matter of Recovery Fund File 2010-01941, James and Nancy Dixon (Claimant) and Vest Marine Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number
2010-01941
James and Nancy Dixon
(Claimant) vs Vest Marine
Construction Inc. (Regulant)

James and Nancy Dixon (Claimant) did appear at the Board meeting. They addressed the Board requesting monetary consideration for attorney's fees. Vest Marine Construction Inc. (Regulant) did not appear at the Board meeting in person or by counsel or by any other qualified representative.

Mr. Rusher the Board representative was not present and did not vote.

After further discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Cronin** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and amends the recommendation to pay the claim in the amount of **\$15,552.00**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Vest Marine Construction Inc.** involved improper or dishonest conduct. The motion passed by unanimous vote. Members voting "yes" were: **Redifer, Dyer, Tomlin, Cronin, Sumpter, Smith, Kirby, Walton, Dowdy, Wood and Williams.**

Rusher did not participate and did not vote. Hart and Miller were absent.

In the matter of Recovery Fund File 2007-02177, Jeffrey Hall (Claimant) vs James Home Improvement (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number

2007-02177

**Jeffrey Hall (Claimant) vs
James McQuinn t/a James
Home Improvement (Regulan**

Jeffrey Hall (Claimant) attended the Board meeting in person. He addressed the Board and shared his disagreement with the recommendation. **James McQuinn t/a James Home Improvement** did not appear at the Board meeting in person by counsel or by any other representative.

Mrs. Tomlin, the Board's hearing officer was not present and did not vote.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Cronin** to remand the case back to an Informal Fact Finding Conference. The motion passed by majority vote. Members voting "yes" were: **Cronin, Sumpter, Smith, Dowdy, Tomlin, Wood and Williams.** Members voting "no" were **Kirby Dyer, Walton and Redifer.**

Rusher did not participate and did not vote. Hart and Miller were absent.

In the matter of Recovery Fund File 2009-02896, James and Teresa Crawford (Claimant) vs Richmond Group Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number

2009-02896

**James and Teresa Crawford
(Claimant) vs Richmond
Group Inc. (Regulant)**

James and Teresa Crawford (Claimant) did appear at the Board meeting in person. They addressed the Board. Teresa Crawford shared their agreement with the Recommendation. **Richmond Group Inc.** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

Mrs. Tomlin, the Board's hearing officer was not present and did not participate.

After discussion, **Mr. Williams** offered a motion seconded by **Mr. Cronin** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and accepts the recommendation to pay the claim in the amount of **\$20,000.00**. The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Richmond Group Inc.** involved improper or dishonest conduct. The motion passed by unanimous vote. Members voting "yes" were: **Sumpter, Dyer, Redifer, Dowdy, Kirby, Cronin, Walton, Williams, Wood, Smith and Redifer.**

Tomlin was not present and did not vote. Hart and Miller were absent.

In the matter of Recovery Fund File 2009-03533, Kirk and Michelle Bielovitz (Claimant) and Sub Builders, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number
2009-03533
Kirk and Michelle Bielovitz
(Claimant) vs. Sub Builders,
Inc. (Regulant)

Kirk and Michelle Bielovitz did appear at the Board meeting. Mrs. Bielovitz addressed the Board. She shared their agreement with the Recommendation. **Sub Builders, Inc** did not appear at the Board meeting in person by counsel nor by any other representative.

Ms. Tomlin and Mr. Rusher, the Board's hearing officer did not participate and were not present.

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Cronin** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and accepts the recommendation to pay the claim in the amount of **\$20,000**. The Claim Review and Summary are incorporated as a part of the Order. The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Sub Builders, Inc.** involved improper or dishonest conduct. The motion passed by unanimous vote. Members voting "yes" were: **Wood, Dowdy, Sumpter, Dyer, Redifer, Walton, Williams, Smith, Cronin, and Kirby.**

Tomlin and Rusher were not present and did not vote. Hart and Miller were absent.

In the matter of Recovery Fund File 2009-04185, Judy Zegas (Claimant) vs. Cabinet Refacers Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number
2009-04185
Judy Zegas (Claimant) vs.
Cabinet Refacers Inc. (Regula

Judy Zegas did appear at the Board meeting in person. She addressed the Board and shared her agreement with the Recommendation. **Cabinet Refacers Inc.** did not

appear at the Board meeting in person by counsel nor by any other representation.

Tomlin the Board's hearing officer did not participate and did not vote.

After discussion a motion was made by **Mr. Williams** and seconded by **Mr. Redifer** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and adopt the recommendation to pay the claim. The Claim Review and Summary are incorporated as a part of the Order. The Board finds there is language in the order that supports the conclusion that the court found that the conduct of **Cabinet Refacers Inc.** involved improper or dishonest conduct. The claim will be paid in the amount of **\$19,143.32**. The motion passed by unanimous vote. Members voting "yes" were: **Wood, Dowdy, Sumpter, Dyer, Redifer, Rusher, Walton, Williams, Smith, Cronin, and Kirby.**

Tomlin was not present and did not vote. **Hart and Miller** were absent.

In the matter of Recovery Fund File 2009-04532, Terry and Margaret Hager (Claimant) vs. Norris LLC t/a Norvic Construction (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

Terry and Margaret Hager did not appear at the Board meeting in person. **Eric Schntzl** for **Norvic Construction** did appear at the Board meeting. He addressed the Board.

Tomlin, the Board's hearing officer was not present and did not participate.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and adopts the recommendation to deny payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board orders that this claim be denied. The motion passed by unanimous vote. Members voting "yes" were: **Wood, Dowdy, Sumpter, Dyer, Redifer, Rusher, Walton, Williams, Smith, Cronin, and Kirby.**

Tomlin was not present and did not vote. **Hart and Miller** were absent.

In the matter of Recovery Fund File 2010-00371, James and Annette Willis (Claimant) vs. All Things Possible Inc. Va. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

James and Annette Willis did not appear at the Board meeting. **James Hampton** for **All Things Possible Inc. Va.** did appear at the Board meeting. He addressed the

File Number
2009-04532

Terry and Margaret Hager
(claimant) vs. Norris LLC
t/a Norvic Construction
(Regulant)

File Number
2010-00371

James and Arnette Willis
(Claimant) vs. All Things
Possible Inc. Va. (Regulant)

Board.

Tomlin the Board's hearing officer was not present and did not participate.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Dowdy** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and adopts the recommendation to deny payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board ordered the claim be denied. The motion passed by unanimous vote. Members voting "yes" were: **Redifer, Dyer, Cronin, Rusher, Sumpter, Smith, Kirby, Dowdy, Wood, Williams and Walton**.

Tomlin was not present and did not vote. **Hart and Miller** were absent.

In the matter of Recovery Fund File 2010-00798, James and Annette Willis (Claimant) vs. All Things Possible Inc. Va. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number

2010-00798

**James and Annette Willis
(claimant) vs All Things
Possible Inc. Va. (Regulant)**

James and Annette Willis did not appear at the Board meeting. **James Hampton for All Things Possible Inc. Va.** did appear at the Board meeting. He addressed the Board.

Tomlin the Board's hearing officer was not present and did not participate.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and adopts the recommendation to deny payment of the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board ordered the claim be denied. The motion passed by majority vote. Members voting "yes" were: **Redifer, Cronin, Rusher, Sumpter, Smith, Kirby, Dowdy, Wood, Williams and Walton**. **Dyer** voted "no". The motion passed with a majority vote of 10 yes and 1 no.

Tomlin was not present and did not vote. **Hart and Miller** were absent.

In the matter of Recovery Fund File Number 2010-01066, Bryan and Ashley Vaughn (Claimant) vs. Twin Star Gold Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number

2010-01066

**Bryan and Ashley Vaughn
(Claimant) vs. and Twin Star
Gold Inc. (Regulant)**

Robert Small for Bryan and Ashley Vaughn did appear at the Board meeting. He addressed the Board. **Twin Star Gold Inc.** did not appear at the Board meeting in

person or by counsel or by any other qualified representative.

Tomlin the Board's hearing officer was not present and did not participate.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Dowdy** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and adopts the recommendation to pay the claim in the amount of **\$15,118.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board ordered the claim be paid. The motion passed by unanimous vote. Members voting "yes" were: **Redifer, Dyer, Cronin, Rusher, Sumpter, Smith, Kirby, Dowdy, Wood, Williams and Walton**.

Tomlin was not present and did not vote. **Hart and Miller** were absent.

In the matter of Recovery Fund File Number 2010-01244, Victor and Ruth Shaw (Claimant) vs. Jose Marcelo Aguilar, t/a Triple J-2 (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number
2010-01244
Victor and Ruth Shaw
(Claimants) vs. Jose Marcelo
Aguilar, t/a Triple J-2
(Regulant)

Elizabeth Gill, counsel for Victor and Ruth Shaw did appear at the Board meeting. She addressed the Board. **Jose Marcelo Aguilar, t/a Triple J-2** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

Tomlin the Board's hearing officer was not present and did not participate.

After discussion a motion was made by **Mr. Williams** and seconded by **Mr. Dyer** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and adopts the recommendation to pay the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board ordered the claim be paid. The motion passed by unanimous vote. Members voting "yes" were: **Redifer, Dyer, Cronin, Rusher, Sumpter, Smith, Kirby, Dowdy, Wood, Williams and Walton**.

Tomlin was not present and did not vote. **Hart and Miller** were absent.

In the matter of Recovery Fund File Number 2010-01317, Matthew and Ruth Shaw (Claimant) vs. Maccari Building & Management Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation.

File Number
2010-01317
Matthew and Ruth Shaw
(Claimants) vs. Maccari
Building & Management Inc.
(Regulant)

Matthew West did appear at the Board meeting. He addressed the Board. **Maccari Building & Management Inc.** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

Tomlin the Board's hearing officer was not present and did not participate.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Cronin** to adopt the claim review, which contains the facts regarding the recovery fund claim in this matter, adopts the Summary and adopts the recommendation to pay the claim in the amount of **\$20,000.00**. The Claim Review and Summary are incorporated as a part of this Order. The Board ordered the claim be paid. The motion passed by unanimous vote. Members voting "yes" were: **Redifer, Dyer, Cronin, Rusher, Sumpter, Smith, Kirby, Dowdy, Wood, Williams and Walton**.

Tomlin was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-02561, Stars Construction LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2010-02561
Stars Construction LLC

Applicant Hieu Nguyen for Stars Construction LLC appeared at the IFF and the Board meeting. He shared his agreement with the Recommendations.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

Earlyne Perkins, legal assistant, shared with the Board that in the summary, the third paragraph should identify **Victoria Traylor**, staff and not **Ilona LaPaglia**. In the background information the first paragraph should be file number **2009-02756** and not **2009-02785**. On page 2 in the first paragraph of the facts the file number should be identified as: **209-02756** and not **2009-02785**.

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference along with the corrections noted by **Mrs. Perkins** and approve a license. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Dyer, Rusher, Redifer, Sumpter, Smith, Kirby, Dowdy, Cronin, Wood, Williams and Walton**.

Brigil was not present and did not vote. Hart and Miller were not present.

In the matter of License Application File Number 2010-02692, Nickels Heating Cooling and Refrigeration, LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2010-02692
Nickels Heating Cooling and Refrigeration, LLC

Applicant Douglas Nickels for Nickels Heating Cooling and Refrigeration, LLC appeared at the IFF. He also attended the Board meeting. He shared his agreement with the Recommendation.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

Earlyne Perkins, legal assistant, shared with the Board that in the summary and the report of findings, the regulation cited should be 18 VAC 50-30-190 2 and not 40-30-30 10.

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Cronin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference along with the correction noted by Mrs. Perkins and approve issuance of a license.

The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Dyer, Rusher, Redifer, Cronin, Sumpter, Smith, Dowdy, Kirby, Williams and Walton.**

Brigil was not present and did not vote. Hart and Miller were not present.

In the matter of Disciplinary File Number 2010-02693, Douglas Nickels, (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

File Number
2010-02693
Douglas Nickels

Douglas Nickels, t/a Nickels Refrigeration Supply Co (Respondent) did appear at the IFF via telephone. Nickels did appear at the Board meeting in person. He addressed the Board.

The presiding Board representatives **Mrs. Brigil** was not present, did not participate in the discussion and did not vote.

Earlyne Perkins, legal assistant, shared with the Board that in the summary should be Count 1: Board Regulation – (not Code of Virginia). In the fifth paragraph of the recommendation should be 18 VAC 50-30-260 B2 and not 50-22-40. In the report of findings, page 2 should be 18 VAC 50 30 260 B2 and not 50-22 40.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations along with corrections as noted by Mrs. Perkins. The Board found that **Douglas Nickels**, violated the following sections of its Regulations:

Effective February 1, 2006

Board for Contractors Meeting Minutes

July 13, 2010

Page 15 of 117

Count 1:	18 VAC 50-22-260 B 2	
----------	----------------------	--

The motion passed by unanimous vote. Members voting "yes" were: **Cronin, Dyer, Rusher, Redifer, Smith, Tomlin, Kirby, Dowdy, Wood, Sumpter, Williams and Walton.**

Hart and Miller were not present and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations along with corrections as noted by Mrs. Perkins. Mr. Kirby offered an amendment that was accepted by Mr. Williams and added to his motion to the Recommendations to require completion of a Board approved Remedial Education class. The Board found that **Douglas Nickels**, violated the following sections of its Regulations:

The Board voted to impose the following penalty for the violation of the regulation.

Sanctions		
Count 1:		\$0
Total		\$000.00

In addition, for violation of Count 1, the Board voted to require Douglas Nickels have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting "yes" were: **Cronin, Dyer, Rusher, Redifer, Tomlin, Smith, Kirby, Dowdy, Wood, Sumpter, Williams and Walton.**

Brigil, the Board's hearing officer was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-02694, Douglas Nickels, (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

**File Number
2010-02694
Douglas Nickels**

Douglas Nickels, t/a Nickels Refrigeration Supply Co (Respondent) did appear at the IFF via telephone. Nickels did appear at the Board meeting in person. He addressed the Board.

The presiding Board representatives **Mrs. Brigil** was not present, did not participate

in the discussion and did not vote.

Earlyne Perkins, legal assistant, shared with the Board that in the summary should be Count 1: Board Regulation – (not Code of Virginia). In the fifth paragraph of the recommendation should be 18 VAC 50-30-260 B2 and not 50-22-40. In the report of findings, page 2 should be 18 VAC 50 30 1900 2 and not 50-22 40.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations along with corrections as noted by Mrs. Perkins. The Board found that **Douglas Nickels**, did not violate its Regulations: This case was closed with a finding of no violations.

The motion passed by unanimous vote. Members voting “yes” were: **Cronin, Dyer, Rusher, Redifer, Smith, Tomlin, Kirby, Dowdy, Wood, Sumpter, Williams and Walton.**

Hart and Miller were not present and did not vote.

Brigil, the hearing officer did not participate.

In the matter of License Application File Number 2010-02762, G Gonzalez Construction Services, LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-02762
G Gonzalez Construction
Services LLC.**

Applicant G. Gonzalez appeared at the IFF. He was not present at the Board meeting.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Kirby** offered a motion that was seconded by **Mr. Cronin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny a license. The motion passed by majority vote. Members voting “Yes” were: **Tomlin, Dyer, Rusher, Redifer, Sumpter, Smith, Dowdy, Cronin, Kirby, Wood, Williams and Walton.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-02763, Ken Walker t/a Ken Walker Construction, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding

**File Number
2010-02763
Ken Walker t/a Ken Walker**

Conference.

Construction.

Applicant Ken Walker appeared at the IFF. He attended the Board meeting. Mr. Walker shared how please he was with the assistance he received from the DPOR staff through this process.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Williams** offered a motion that was seconded by **Mr. Cronin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and grant a license.

The motion passed by majority vote. Members voting "Yes" were: **Tomlin, Dyer, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Williams.** Members voting "no" were: **Kirby and Walton.** The motion passed 10 yes and 2 no.

Brigil was not present and did not vote. Hart and Miller were not present.

In the matter of License Application File Number 2010-02764, Shawn Smith, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-02764
Shawn Smith**

Applicant Shawn Smith appeared at the IFF and the Board meeting. He addressed the Board. He shared his agreement with the Recommendation.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Williams** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and to approve granting a license. The motion by unanimous vote. Members voting "Yes" were: **Tomlin, Dyer, Rusher, Redifer, Cronin, Sumpter, Smith, Dowdy, Wood, Miller, Kirby, Williams and Walton.**

Brigil was not present and did not vote. Hart and Miller were not present.

In the matter of License Application File Number 2010-02766, Eric Huffman the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-02766
Eric Huffman**

Applicant Eric Huffman appeared at the IFF. He attended the Board meeting. He addressed the Board and shared his agreement with the Recommendation.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Williams** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue a license. The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Dyer, Rusher, Redifer, Sumpter, Smith, Kirby, Dowdy, Cronin, Wood, Williams and Walton.**

Brigil was not present and did not vote. Hart and Miller not present.

In the matter of License Application File Number 2010-02767, Paul Young, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-02767
Paul Young**

Applicant Paul Young appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Redifer** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve a conditional license.

The motion passed by majority vote. Members voting "Yes" were: **Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, and Wood.**

Brigil was not present and did not vote. Hart and Miller were absent. Kirby, Walton, Dyer, Williams and Tomlin voted "no". The vote passed with 5 "no" and 7 "yes".

In the matter of License Application File Number 2010-02768, Robert Coleman, Jr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-02768
Robert Coleman, Jr.**

Applicant Robert Coleman, Jr. appeared at the IFF. He attended the Board meeting.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mrs. Tomlin** offered a motion that was seconded by **Mr. Dowdy** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by unanimous vote. Members voting "Yes" were: **Tomlin, Dyer, Rusher, Redifer, Sumpter, Cronin, Smith, Kirby, Dowdy, Wood, Williams and Walton.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-02951 Troy Simmons, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-02951
Troy Simmons**

Troy Simmons appeared at the IFF. **He did not attend** the Board meeting. Michael Mahieu and Amanda Roberts appeared on his behalf.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Tomlin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, Walton, Tomlin, Kirby, and Williams.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-03059 Windle Company, Inc. the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-03059
Windle Company, Inc**

Lloyd and Sandra Windle appeared at the IFF. They both attended the Board meeting and addressed the Board.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Williams** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by unanimous vote. Members voting "Yes" were: **Dyer, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Walton, Tomlin, Williams, Kirby and Wood.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-03354 Aubrey Bethea, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-03354
Aubrey Bethea**

Aubrey Bethea appeared at the IFF. He attended the Board meeting and addressed the Board.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Dyer** offered a motion that was seconded by **Mr. Redifer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by majority vote. Members voting "Yes" were: **Dyer, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Walton, Tomlin, Williams, Kirby and Wood.**

Cronin voted "no".

The vote was 11 "yes" and 1 "no".

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-03530 Bernard Voyten, Jr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-03530
Bernard Voyten, Jr.**

Bernard Voyten, Jr. appeared at the IFF. He did attend the Board meeting and address the Board and shared his disagreement.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Redifer** offered a motion that was seconded by **Mr. Dyer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the exemption.

The motion passed by majority vote. Members voting "Yes" were: **Dyer, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Walton, Tomlin, Williams, Kirby and Wood.**

Cronin voted "no".

The vote was 11 "yes" and 1 "no".

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-03535 All Top Notch Landscaping and Tree Service, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-03535
All Top Notch Landscaping
and Tree Service**

All Top Notch Landscaping and Tree Service appeared at the IFF. **Chad Kearns** did attend the Board meeting. He addressed the Board.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Dowdy** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by a unanimous vote. Members voting "Yes" were: **Wood, Dowdy, Sumpter, Dyer, Redifer, Rusher, Walton, Williams, Smith, Tomlin, Cronin, and Kirby.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-03537 Timothy Roark t/a Timmy's Home Improvement, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-03537
Timothy Roark t/a Timmy's
Home Improvement**

Timothy Roark appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Redifer** offered a motion that was seconded by **Mr. Tomlin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding

Conference and deny the license.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-04200 Darryl Smith t/a D. Smith's Contracting, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2010-04200
Darryl Smith t/a D. Smith's
Contracting

Darryl Smith appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Cronin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-04201 John Cardoza, Sr. the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2010-04201
John Cardoza, Sr.

Charles Martin, Counselor, on behalf of John Cardoza, Sr. appeared at the IFF. **Martin** attended the Board meeting shared his agreement with the recommendations.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

Earlyne Perking shared that in the summary sentence number 4 should be license number 2710-043419 and not 2710-04349.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Walton** to adopt the recommendation contained in the Summary (with the correction as noted above) of the Informal Fact-Finding Conference and approves the license as

conditional as suggested by Mr. Kirby during the discussion.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-04203, John Cardoza, Sr. (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

File Number
2010-04203
John Cardoza, Sr.

John Cardoza, Sr., (Respondent) did appear at the IFF via telephone. Charles Martin, Counselor, on behalf of John Cardoza did appear at the Board meeting in person. He addressed the Board.

The presiding Board representatives **Mrs. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations along with corrections as noted by Mrs. Perkins. The Board found that **John Cardoza, Sr.**, violated the following sections of its Regulations:

Effective January 1, 2003		
Count 1:	18 VAC 50-30-190 11	
Count 2:	18 VAC 50-30-190 12	

The motion passed by unanimous vote. Members voting "yes" were: **Cronin, Dyer, Rusher, Redifer, Smith, Tomlin, Kirby, Dowdy, Wood, Sumpter, Williams and Walton.**

Hart and Miller were not present and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. Mr. Kirby offered an amendment that was accepted by Mr. Williams and added to his motion to the Recommendations to require completion of payment of the fine to the Board within 90 days of release from incarceration. The Board found that **Cardoza**, violated the following sections of its Regulations:

Board for Contractors Meeting Minutes

July 13, 2010

Page 24 of 117

The Board voted to impose the following penalty for the violation of the regulation.

Sanctions		
Count 1:		\$0
Count 2:		\$250
Total		\$250.00

In addition, for violation of Count 2, the Board voted to require Cardoza to make full payment of the fine to the Board within 90 days of the effective date of his release from incarceration.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-04205 Jason Neise the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-04205
Jason Neise**

Jason Neise participated in the IFF. He attended the Board meeting. **Neise** shared his agreement with the recommendations.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mrs. Tomlin** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the issuance of a license.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-04206 Jun Hwa Kang the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-04206
Jun Hwa Kang**

Jun Hwa Kang appeared at the IFF. **Jun Hwa Kang** did not attend the Board meeting.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Redifer** offered a motion that was seconded by **Mr. Kirby** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-04207 **Amazing Glaze LLC**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2010-04207
Amazing Glaze LLC

Chet Bober for Amazing Glaze LLC appeared at the IFF. He attended the Board meeting. **Mr. Bober** shared his agreement the recommendations.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

Earlyne Perkins, legal assistant for the Board shared that sentence number 1 of the Summary in the second paragraph should be "On March 14, 2001 and not January 11".

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mrs. Tomlin** to adopt the recommendation contained in the Summary (amending the summary to make correction as noted above by **Ms. Perkins**) of the Informal Fact-Finding Conference and approve the license.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-04208 **Kenneth Thompson**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2010-04208
Kenneth Thompson

Kenenth Thompson appeared at the IFF. He attended the Board meeting. **Mr.**

Thompson shared his agreement with the recommendation.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Williams** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-04209 Michael Hibbets, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-04209
Michael Hibbets**

Michael Hibbets appeared at the IFF. **He attended** the Board meeting. **Mr. Hibbets** shared his agreement the recommendations.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Rusher** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.**

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-04210 Clevon Roberts, Sr. the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-04210
Clevon Roberts, Sr.**

Clevon Roberts, Sr. appeared at the IFF. **He attended** the Board meeting. **Mr. Roberts** shared his agreement with the recommendations.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Dyer** to

adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by unanimous vote. Members voting "Yes" were: Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-04224 Basement Detectives, Inc., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-04224
Basement Detectives, Inc.**

Basement Detectives, Inc. appeared at the IFF. They did not attend the Board meeting.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Dyer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by majority vote. Members voting "Yes" were: Walton, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer. Tomlin voted "no". The vote was 11 "yes" and 1 "no".

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-004480 Anthony Bosoni t/a Asset Restoration Management Specialty, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-04480
Anthony Bosoni t/a Asset
Restoration Management
Specialty**

Anthony Bosoni appeared at the IFF. He attended the Board meeting. **Mr. Bosoni** shared his agreement with the recommendation .

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Dyer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion passed by unanimous vote. Members voting "Yes" were: Walton,

Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-04481 Jose Arias, Sr., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-04481
Jose Arias, Sr.**

Jose Arias, Sr. appeared at the IFF. He attended the Board meeting. Mr. Arias shared his agreement with the recommendation.

The presiding Board representative Ms. Brigil was not present, did not participate in the discussion and did not vote.

Earlyne Perkins shared that the Report of Findings on page 2 needs to have the date of conviction be listed as March 3, 1998 and not February 6, 1998.

After discussion Mr. Williams offered a motion that was seconded by Mr. Walton to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference (and incorporate the correction as noted above by Mrs. Perkins) and approve the license.

The motion passed by unanimous vote. Members voting "Yes" were: Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.

Brigil was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-02765 Wonwoo Cho, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-02765
Wonwoo Cho**

Wonwoo Cho appeared at the IFF. He did not attend the Board meeting.

The presiding Board representative Ms. Brigil was not present, did not participate in the discussion and did not vote.

After discussion Mr. Williams offered a motion that was seconded by Mr. Sumpter to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

The motion passed by unanimous vote. Members voting "Yes" were: Walton, Tomlin, Williams, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, Wood, and Dyer.

Brigil and Kirby were not present and did not vote. Hart and Miller were absent.

The Board took a 10 minute recess from 10:25 am to 10:35 am. The meeting reconvened at 10:35 am.

Recess

In the matter of Disciplinary File Number 2010-04462, Eddie Yates t/a E W Yates (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

File Number

2010-04462

Eddie Yates t/a E W Yates

Eddie Yates t/a E W Yates (Respondent) did appear at the IFF. Eddie Yates did appear at the Board meeting. He addressed the Board. James and Burdette Williams were present and they addressed the Board and shared their agreement with the recommendation.

The presiding Board representative Mr. Dyer was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mr Kirby and seconded by Mr. Williams to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that Eddie Yates, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260 B 28	

The motion passed by unanimous vote. Members voting "yes" were: Cronin, Tomlin, Rusher, Redifer, Hart, Sumpter, Smith, Kirby, Dowdy, Wood, Miller, Williams and Walton.

Dyer was not present and did not vote.

The Board voted to impose the following monetary penalty for the violation of the regulation.

Count 1:	\$2,000.00 and license revocation
Total	\$2,000.00

The motion passed by unanimous vote. Members voting "Yes" were: Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, and Wood.

Dyer was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-00537, Man Chun Kim t/a With Us Interior, (Respondent); the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

**File Number
2010-00537
Man Chun Kim t/a With Us
Interior**

Man Chun Kim, t/a With Us Interior (Respondent) did appear at the IFF. Kim did appear at the Board meeting in person. He addressed the Board and requested to have an interpreter with him for the Board meeting. He asked the Board for a continuance in order to bring an interpreter with him.

The presiding Board representatives **Mrs. Wood** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mrs. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations and agreed to grant a continuance to October 19, 2010 in order to allow Mr. Kim time to bring an interpreter with him.

The motion passed by unanimous vote. Members voting "yes" were: **Cronin, Dyer, Rusher, Redifer, Tomlin, Smith, Kirby, Dowdy, Sumpter, Miller, Williams and Walton.**

Wood, the Board's hearing officer was not present and did not vote. Hart and Miller were absent.

In the matter of License Application File Number 2010-02762 G. Gonzales, Construction Services, LLC, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2010-02762
G. Gonzales Construction
Services, LLC**

Mr. Gonzales arrived late to the meeting and asked if the Board would please reopen his case and hear it.

Mr. Sumpter offered a motion to reopen and **Tomlin** seconded it. The motion passed by majority vote. Members voting "yes" were: **Cronin, Dyer, Rusher, Redifer, Tomlin, Smith, Kirby, Dowdy, Sumpter, Wood, Miller, Williams and Walton.** **Kirby** voted no. The motion passed with a "yes" vote of 11 and a "no" vote of 1.

Brigil, the Board's hearing officer was not present and did not vote. Hart and Miller were absent.

G. Gonzales appeared at the IFF. He attended the Board meeting. **Mr. Gonzales** shared his disagreement with the recommendation.

The presiding Board representative **Ms. Brigil** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion that was seconded by **Mr. Redifer** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

The motion passed by unanimous vote. Members voting "yes" were: **Cronin, Dyer, Rusher, Redifer, Tomlin, Smith, Kirby, Dowdy, Sumpter, Miller, Wood, Williams and Walton.**

Brigil the Board's hearing officer was not present and did not vote. **Hart and Miller** were absent.

In the matter of Disciplinary Case File Number 2010-01547 **Gator Paving Company**, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2010-01547
Gator Paving Company

Gator Paving Company appeared at the IFF. He did not attend the Board meeting.

The presiding Board representatives **Mr. Dyer** and **Mr. Redifer** were not present, did not participate in the discussion and did not vote.

After discussion **Mr. Redifer** offered a motion that was seconded by **Mr. Sumpter** to adopt the recommendation contained in the Summary of the Informal Fact-Finding Conference and find.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, and Wood.**

Dyer was not present and did not vote. **Hart and Miller** were absent.

The Board took a ten minute recess at 10:50 am and reconvened at 11:00 am.

Break and Reconvene

In the matter of Disciplinary File Number 2010-02853, **Kyung Soon Suh, t/a Goldenboy Handyman Service, (Respondent)**; the board reviewed the record, which consisted of the investigative file, transcript, exhibits from the Informal Fact-Finding Conference, and the Summary and recommendation.

File Number
2010-02853
Kyung Soon Suh, t/a Goldenboy Handyman Service

Kyung Soon Suh, t/a Goldenboy Handyman Service (Respondent) did not appear

Board for Contractors Meeting Minutes

July 13, 2010

Page 32 of 117

at the IFF. Mr. Suh did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mr. Dyer** was not present, did not participate in the discussion and did not vote.

Earlyne Perkins shared with the Board that a correction need to be mad; in the Summary on page 2 in the first paragraph it should read, "...identity of interest between Class A license number 2705-124883..." and not Class C license.

After discussion, a motion was made by **Mr Williams** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Kyung Soon Suh, t/a Goldenboy Handyman Service**, violated the following sections of its Regulations:

Count 1:	§ 54.1-1110 of the Code of Virginia	
Count 2:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, and Wood.**

Dyer was not present and did not vote. Hart and Miller were absent.

The Board voted to impose the following penalty for the violation of the regulation.

Sanctions		
Count 1:		\$1,350.00 and
		revocation
Total		\$1, 350.00

In addition, for violation of Count 1 and Count 2, the Board voted to revocation of license 2705-124883. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, and Wood.**

Dyer was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-02980, FMJ Construction, LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-02980
FMJ Construction, LLC

Sean Tluchak, attorney for F. Jarrelle of FMJ Construction, LLC (Respondent) did attend the Board meeting in person. He addressed the Board on his clients behalf asking the Board to reconsider this matter. Mr. Jarrelle also addressed the Board.

The Board's hearing representatives; **Mr. Dyer** was not present and did not vote.

After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Williams** to table this case and to give staff and the Regulant time to consider the terms of a possible Consent Order. The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, and Wood.**

Dyer was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-03640 Great Atlantic Building & Construction Inc, (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-03640
Great Atlantic Building & Construction Inc.

Great Atlantic Building Inc, (Respondent) did not appear at the IFF or the Board meeting in person by counsel nor by any other qualified representative. The presiding Board representatives **Mr. Dyer** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations The Board found that **Great Atlantic Building & Construction Inc.** violated the following sections of its Regulations:.

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, and Wood.**

Dyer was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Smith** to impose the following penalties for violation of its Regulations:

Effective February 1, 2006		
Count 1:		\$500.00
Total		\$500.00
The board also imposes the following sanctions: for violation of Count 1, the Board voted to require Great Atlantic Building & Construction Inc have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order. Failure to comply with the terms will result in the automatic imposition of license suspension.		

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, and Wood.**

Dyer was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-01377, **T E Young Heating & Cooling Inc (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. Thomas and Goldie Young for **T E Young Heating & Cooling Inc, (Respondent)** attended the IFF. Neither Young, **T E Young Heating & Cooling Inc** in person or by counsel or by any other qualified representative did not attend the Board Meeting.

The presiding Board representative **Mr. Dyer and Wood** were not present, did not participate in the discussion and did not vote. Mr. Smith chaired this case.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations to add Remedial Education to both counts. The Board found that **T E Young Heating & Cooling Inc** violated the following sections of its Regulations:

File Number
2010-01377

T E Young Heating & Cooling Inc

Effective February 1, 2006
Count 1: 18 VAC 50-22-260 B 30

The motion passed by unanimous vote. Members voting "Yes" were: Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, and Dowdy.

Dyer and Wood were not present and did not vote. Hart and Miller were absent.

After discussion a motion was made by Mr. Redifer and seconded by Mr. Kirby to impose the following sanctions.

Count 1:		\$0.00
Total		\$0.00
In addition, for violation of Count 1, the Board voted to impose no sanction. For Count 2, the Board closes this aspect of the file with a finding of no violation.		

The motion passed by unanimous vote. Members voting "Yes" were: Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, and Wood.

Dyer was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2009-04599, Mark F Williams Sr, t/a This Much-Do Right Construction (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. Mark Williams for Mark F Williams Sr, t/a This Much-Do Right Construction (Respondent) did appear at the IFF. Williams also appeared at the Board meeting in person. He addressed the Board and shared that he apologized and was sorry to have to come before the Board for consideration of an infraction of the Board's Regulations.

File Number
2009-04599
Mark F Williams Sr, t/a This Much-Do Right Construction

The presiding Board representative Mr. Hart was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mr. Redifer and seconded by Mr. Smith to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that Mark F Williams Sr

violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 29	

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.**

Hart was not present and did not vote. Miller was absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following monetary sanctions:

Count 1:		\$100.00
Total		\$100.00

In addition, for violation of **Count 1**, the Board imposes successful completion of a Board-approved remedial education class within 90 days of the effective date of the order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.**

Hart was not present and did not vote. Miller was absent.

In the matter of Disciplinary File Number 2010-01023, **Spectrum Installations & Improvements, LLC (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Spectrum Installations & Improvements, LLC (Respondent)** did not appear at the IFF or the Board meeting in person or by legal counsel nor any other qualified representative.

File Number
2010-01023
Spectrum Installations & Improvements, LLC

Hart was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Dowdy** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Spectrum Installations & Improvements, LLC**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260 B 27	September 1, 2001
Count 3:	18 VAC 50-22-260.B.29	
Count 4:	18 VAC 50-22-260.B.31	
Count 5:	18 VAC 50-22-260 B 17	

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Dyer, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dowdy, and Wood.**

Hart was not present and did not vote. Miller was absent.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Dyer** to impose the following sanctions:

Count 1	\$500.00	
Count 2	\$750.00	
Count 3	\$600.00	
Count 4	\$400.00	
Count 5	\$1,800.00	
Total		\$4,050.00

In addition, for violation of Count 1, 3 and 4, the Board requires **Spectrum Installations 7 Improvements LLC**, to have a member of management successfully complete a Board approved Remedial Education Class within 90 days of the order. The Board voted to impose revocation of license for the violation of Count 2 and Count 5.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.**

Hart was not present and did not vote. Miller was absent.

In the matter of Disciplinary File Number 2010-03974, **Spectrum Installations & Improvements LLC (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Spectrum Installations & Improvements LLC (Respondent)** did not appear at the IFF. **Spectrum** did not appear at the Board meeting in person or by counsel or by any other qualified

File Number
2010-03974
Spectrum Installations & Improvements LLC

representative.

The presiding Board representatives **Hart** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Spectrum Installations & Improvements LLC** violated the following of its Regulations.

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260 B 13	

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.**

Hart was not present and did not vote. Miller was absent.

After further discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Tomlin** to impose the following sanctions:

Count 1:	\$1,500.00	
Total		\$1,500.00

The Board voted to revoke the license for the violation of its Regulations.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.**

Hart was not present and did not vote. Miller was absent.

In the matter of Disciplinary File Number 2010-02855 **Buffalo River Technology LLC (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Preston Gary Wilkerson on behalf of Buffalo River Technology LLC (Respondent)**; did appear at the IFF. He did not attend the Board meeting.

File Number
2010-02855
Buffalo River Technology LLC

The presiding Board representative **Hart** was not present and did not vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Williams** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Buffalo River Technology LLC**, violated the following sections of its Regulations:

Count 1:	§ 54. 1-1110 of the Code of Virginia	

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Hart, Dowdy, and Wood.**

Hart was not present and did not vote. Miller was absent.

After discussion a motion was made by **Mr. Dyer** and seconded by **Mr. Miller** to impose no sanctions.

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.**

Hart was not present and did not vote. Miller was absent.

In the matter of Disciplinary File Number 2009-02857 **Shoreline Holding Inc (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Shoreline Holding Inc (Respondent)** did appear at the IFF. Shoreline did not attend the Board meeting in person or by counsel or by any other qualified person.

File Number
2010-02857
Shoreline Holding Inc

The presiding Board representative **Mr. Hart** was not present, did not participate in the discussion and did not vote.

After discussion **Mr. Sumpter** offered a motion seconded by **Mrs. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Shoreline Holding Inc** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	§ 54. 1-1110 of the Code of Virginia	
Count 2:	18 VAC 50-22-230 B	

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.**

Hart was not present and did not vote. Miller was absent.

After discussion a motion was made by **Mr. Sumpter** and seconded by **Mr. Dyer** to impose the following sanctions:

Count 2:	\$850.00
Total	\$850.00
In addition, for violation of Count 1, the Board voted to revoke the license for the violation of its Regulations for counts 1 and 2.	

The motion passed by unanimous vote. Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.**

Hart was not present and did not vote. Miller was absent.

In the matter of Disciplinary File Number 2010-03514, Virginia Flooring & Interior Solutions Inc, (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **William Johns for Virginia Flooring & Interior Solutions, Inc (Respondent)** did appear at the IFF. He also appeared at the Board meeting in person. He addressed the Board.

File Number
2010-03514
Virginia Flooring & Interior Solutions, Inc

The presiding Board representative **Mr. Hart** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Redifer** to table this case and allow staff to work with the Regulant on a 6 month settlement or a license revocation.

The motion passed by unanimous vote. Members voting "yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.**

Hart was not present and did not vote. Miller was absent.

In the matter of Disciplinary File Number 2009-02683, Thermo-Press Corporation t/a Thermo-Press (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number

2009-02683

**Thermo-Press Corporation t/a
Thermo-Press Norvell**

Thermo-Press Corporation t/a Thermo-Press Norvell (Respondent) did not attend the Informal Fact Finding Conference or the Board meeting. **Thermo-Press Corporation t/a Thermo-Press Norvell** did not attend the board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** seconded by, **Mrs. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations for violations as follows: The Board found that **Thermo-Press Corporation** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 6	
Count 2:	18 VAC 50-22-260.B 30	
Count 3:	18 VAC 50-22-260 B 13	Effective February 1, 2006

The motion passed by unanimous vote. Members voting "yes" were: Walton, Tomlin, Williams, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.

Kirby was not present and did not vote. Miller and Hart were absent.

After discussion, a motion was made by **Mr. Walton** and seconded by **Ms. Tomlin** to impose the following sanctions:

Count 1:	\$1,000.00	
Count 2:	\$1,500.00	
Count 3:	\$1,500.00	
Total		\$4,000.00

In addition, for violation of Count 1, 2, and 3 the Board voted to impose revocation of license 2705-032773.

The motion passed by majority vote. Members voting "yes" were: Walton, Tomlin, Williams, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.

Kirby was not present and did not vote. Miller and Hart were absent.

In the matter of Disciplinary File Number 2010-00712, Thermo-Press Corporation t/a Thermo-Press Norvell (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number

2010-00712

Thermo-Press Corporation t/a
Thermo-Press Norvell

Thermo-Press Corporation t/a Thermo-Press Norvell (Respondent) did not attend the Informal Fact Finding Conference. Thermo-Press Corporation t/a Thermo-Press Norvell did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives Mr. Kirby was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by Mr. Sumpter seconded by, Mr. Walton to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that Thermo-Press Corporation t/a Thermo-Press Norvell violated the following sections of its Regulations:

Effective February 1, 2006

Count 1:	18 VAC 50-22-260.B 13
----------	-----------------------

The motion passed by unanimous vote. Members voting "yes" were: Walton, Tomlin, Williams, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.

Mr. Kirby was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by Mr. Sumpter and seconded by Mr. Smith to impose the following sanctions:

Count 1:	\$1,500.00
Total	\$1, 500.00

In addition, for violation of Count 1 the Board also imposed revocation of license 2705-032773.

The motion passed by unanimous vote. Members voting "yes" were: Walton, Tomlin, Williams, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.

Kirby was not present and did not vote. Miller and Hart were absent.

In the matter of Disciplinary File Number 2010-00444, Ace Remodeling Inc (Respondent); the Board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. Ace Remodeling Inc (Respondent) did not appear at the IFF. They did not attend the Board meeting in person or by counsel or by any other qualified representative. Katherine Walsh and Richard S. Nicholson (Complainant) attended the IFF and the Board meeting. They addressed the Board.

File Number
2010-00444
Ace Remodeling Inc

The presiding Board representative Mr. Kirby was not present and did not participate and did not vote.

After discussion a motion was made by Mr. Walton and seconded by Mr. Sumpter to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found substantial evidence that Ace Remodeling Inc violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260.B 27	
Count 3:	18 VAC 50-22-260.B. 6	
Count 4:	18 VAC 50-22-260.B.12	

The motion passed by unanimous vote. Members voting "yes" were: Walton, Tomlin, Williams, Rusher, Redifer, Sumpter, Cronin, Smith, Dyer, Dowdy, and Wood.

Kirby was not present and did not vote. Miller and Hart were absent.

After discussion, a motion was made by Mr. Williams and seconded by Mr. Sumpter to impose the following sanctions:

Count 1:	\$500.00	
Count 2:	\$1,000.00	
Count 3:	\$2,000.00	
Count 4:	\$1,000.00	
Total		\$4,500.00

In addition, for violation of Count 1, 2 and 4, the Board voted to require **Ace Remodeling** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension. As to count 3, the Board voted to revoke license 2705-117499.

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Dyer, Dowdy, Sumpter, Williams, Smith, Cronin, Redifer, Rusher, Wood, and Walton.**

Kirby did not participate and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-02915, **Christopher J Brown, t/a Straightline General Contracting (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-02915
Christopher J Brown, t/a
Straightline General
Contracting

Christopher J Brown, t/a Straightline General Contracting (Respondent) did not appear at the IFF. They did not attend the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote.

Earlyne Perkins shared with the Board that a correction needed to be made to the Summary in the 2nd paragraph; it should read "On April 7, 2010" and not March 23, 2010. The Summary was mailed to 21400 Springfield Road, Bushwood Road, Maryland 20618 by United Parcel Service.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference incorporating the corrections as noted above with Recommendations. The Board found that **Christopher J Brown** violated the following sections of its Regulation:

Effective February 1, 2006		
Count 1: § 54.1-1110 of the Code of Virginia		
Count 2:	18 VAC 50-22-260.B 13	
Count 3:	18 VAC 50-22-260.B.9	September 1, 2001

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Dyer, Dowdy, Cronin, Smith, Sumpter, Wood, Rusher, Williams and Walton.**

Kirby was not present and did not vote. Hart and Miller were absent.

Board for Contractors Meeting Minutes

July 13, 2010

Page 45 of 117

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 2	\$1,500.00
Count 3	\$1,000.00
Total	\$2,500.00

In addition for violation of count 3, the Board voted to require **Christopher J Brown** have a member of responsible management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension. The Board also imposes the following sanctions: Revocation of license for the violation of Count 1 and Count 2.

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Dyer, Dowdy, Cronin, Smith, Sumpter, Wood, Rusher, Williams and Walton.**

Kirby was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-032962, **P & W Architectural Stone & Landscaping LLC (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Preston Adam Wilkerson for P & W Architectural Stone LLC (Respondent)**, did appear at the Informal Fact Finding Conference in person. **Preston Adam Wilkerson for P & W Architectural Stone LLC** did not attend the Board meeting by counsel or by any other qualified representative.

File Number

2010-02962

P & W Architectural Stone & Landscaping LLC

The presiding Board representative **Mr. Kirby** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Williams** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **P & W Architectural Stone LLC** violated the following sections of its Regulations:

Count 1: §54.1-1110 Code of Virginia

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Smith, Wood, Williams and Cronin.**

Kirby was not present and did not vote. Hart and Miller were absent

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Dyer** to impose the following sanctions:

As to count 1, the Board voted to impose revocation of license.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Smith, Wood, Williams and Cronin.

Kirby was not present and did not vote. Hart and Miller were absent

In the matter of Disciplinary File Number 2010-00678, D and L Contracting LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-00678
D and L Contracting LLC

D and L Contracting LLC (Respondent) did not attend the Informal Fact Finding Conference. **D and L Contracting LLC** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mr. Rusher** and **Mr. Kirby** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** seconded by, **Mrs. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **D and L Contracting** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260.B 14	
Count 3:	18 VAC 50-22-260.B.16	
Count 4:	18 VAC 50-22-260.B.28	
Count 5:	18 VAC 50-22-260.B.12	
Count 6:	18 VAC 50-22-260.B.2	
Count 7:	18 VAC 50-22-260.B.2	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin,

Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Smith, Wood, Williams and Cronin.

Kirby and Rusher were not present and did not vote. Hart and Miller were absent

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mrs. Tomlin** to impose the following sanctions:

Count 1:	\$500.00	
Count 2:	\$2,500.00	
Count 3:	\$2,500.00	
Count 4:	\$2,500.00	
Count 5:	\$1,500.00	
Count 6:	\$2,500.00	
Count 7:	\$2,500.00	
Total		\$14,500.00
In addition, for violation of all counts, the Board voted to impose revocation of license 2705-126732. The Board voted to require D and L Contracting LLC have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 (ninety) days of the order.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Dowdy, Redifer, Sumpter, Smith, Wood, Williams and Cronin.

Kirby and Rusher were not present and did not vote. Hart and Miller were absent

In the matter of Disciplinary File Number 2010-00963, Mickey Roudie Stanley t/a Enterprise Paving (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**File Number
2010-00963
Mickey Roudie Stanley t/a
Enterprise Paving**

Mickey Roudie Stanley t/a Enterprise Paving (Respondent) did not attend the Informal Fact Finding Conference. **Mickey Roudie Stanley t/a Enterprise Paving** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mr. Redifer and Mr. Kirby** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Smith** seconded by, **Mr. Dyer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Mickey Roudie Stanley t/a Enterprise Paving** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260.B 15	September 1, 2001
Count 3:	18 VAC 50-22-260 B 28	February 1, 2006
Count 3:	18 VAC 50-22-230.B.	September 1, 2001

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Sumpter, Smith, Wood, Williams and Cronin.

Kirby and Redifer were not present and did not vote. Hart and Miller were absent

After discussion, a motion was made by **Mr. Cronin** and seconded by **Mrs. Tomlin** to impose the following sanctions:

Count 1:	\$500.00	
Count 2:	\$2,500.00	
Count 3:	\$2,500.00	
Count 4:	\$1,000.00	
Total		\$6,500.00
In addition, for violation of Count 1 and Count 4, the Board voted to require Mickey Roudie Stanley t/a Enterprise Paving have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board also imposed revocation of license 2705-118355 for violation of Count 2 and 3.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Sumpter, Smith, Wood, Williams and Cronin.

Kirby and Redifer were not present and did not vote. Hart and Miller were absent.

(Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

2010-02216
Michael Shifflett

Michael Shifflett (Respondent) did attend the Informal Fact Finding Conference. **Michael Shifflett** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Redifer** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Dyer** seconded by, **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Michael Shifflett** did not violate its Regulations: The Board voted to close this case with a finding of no violations.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Kirby, Sumpter, Smith, Wood, Williams and Cronin.

Redifer was not present and did not vote. **Hart** and **Miller** were absent.

In the matter of Disciplinary File Number 2010-02771, **Remodeling Solutions Of Virginia LLC (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-02771
Remodeling Solutions Of
Virginia LLC

Remodeling Solutions Of Virginia LLC (Respondent) did attend the Informal Fact Finding Conference via telephone. **Remodeling Solutions Of Virginia LLC** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

Earlyne Perkins shared with the Board that the following correction needed to be made: in the Summary, the second paragraph next to the last sentence should read "The Notice sent to the address of record was returned marked "return to sender-not at this address."

The presiding Board representative **Mr. Redifer** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** seconded by, **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary with amendment as noted above of the Informal Fact-Finding Conference Recommendations. The Board found that **Remodeling Solutions of Virginia, LLC** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 13	
Count 2:	18 VAC 50-22-230.B	September 1, 2001

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Kirby, Sumpter, Smith, Wood, Williams and Cronin.

Redifer was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Cronin** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$1,350.00	
Count 2:	\$850.00	
Total		\$2,200.00
The Board imposed revocation of license 2705-122591.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Kirby, Sumpter, Smith, Wood, Williams and Cronin.

Redifer was not present and did not vote. Hart and Miller were absent

In the matter of Disciplinary File Number 2010-01490, RIDG Incorporated (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**File Number
2010-01490
RIDG Incorporated**

RIDG Incorporated (Respondent) did not attend the Informal Fact Finding Conference. **RIDG Incorporated** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mr. Redifer** and **Mr. Smith** were not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** seconded by, **Mr. Dyer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **RIDG Incorporated** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260.B 28	September 1, 2001
Count 3:	18 VAC 50-22-230.B.	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Sumpter, Kirby, Wood, Williams and Cronin.

Redifer and Smith were not present and did not vote. Hart and Miller were absent

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Cronin** to impose the following sanctions:

Count 1:	\$350.00	
Count 2:	\$1,000.00	
Count 3:	\$350.00	
Total		\$1,750.00

The Board also imposed revocation of license 2705-119844.
In addition, for violation of Count 1 and Count 3, the Board voted to require **RIDG Incorporated** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Kirby, Sumpter, Wood, Williams and Cronin.

Redifer and Smith were not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-00496, Pace Construction & Development Corp (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-00496
Pace Construction &
Development Corp

Richard Duncan and Mark Palmer and Attorney Spezzano on behalf of Pace Construction & Development Corp (Respondent) did attend the Informal Fact

Finding Conference. **Duncan, Palmer and Spezzano, attorney for Pace Construction & Development Corp** did appear at the Board meeting in person. They addressed the Board. **Willie and Marquerite Dawes and attorney Messick (Complainant)** attended the IFF. **Willie and Marquerite Dawes** attended the Board meeting. They addressed the Board. They shared their disagreement.

The presiding Board representative **Mr. Redifer** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Walton** seconded by, **Mr. Williams** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Pace Construction & Development Corp** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 5	

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Walton, Dyer, Rusher, Dowdy, Kirby, Sumpter, Smith, Wood, Williams and Cronin.**

Redifer was not present and did not vote. Hart and Miller were absent

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Smith** to impose no sanction for the violation of the regulation.

The motion passed by unanimous vote. Members voting "yes" were: **Tomlin, Walton, Dyer, Rusher, Dowdy, Sumpter, Smith, Wood, Kirby, Williams and Cronin.**

Redifer was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2009-00561, **Windmill Building Corp (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2009-00561
Windmill Building Corp

Windmill Building Corp (Respondent) did not attend the Informal Fact Finding Conference. **Rodney McNew for Windmill Building Corp** did appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Smith** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Williams** seconded by, **Mr. Dyer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Windmill Building Corp** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 31	
Count 3:	18 VAC 50-22-260.B.25	
Count 4:	18 VAC 50-22-260.B.15	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Kirby, Wood, Williams and Cronin.

Smith was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Dyer** to impose the following sanctions:

Count 2:	\$0.00	
Count 3:	\$0.00	
Count 4:	\$0.00	
Total		\$0.00
For violation of its Regulations, the Board imposes no monetary penalties for Count 2, 3 and 4. In addition, for violation of Count 2, 3 and Count 4, the Board voted to require Windmill Building Corp have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board closed Count 1 with a finding of no violation.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Kirby, Wood, Williams and Cronin.

Smith was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2009-04304, Mark Conley (Respondent); the board reviewed the record, which consisted of the application file,

File Number
2009-04304

transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

Mark Conley

Mark Conley (Respondent) did not attend the Informal Fact Finding Conference. **Mark Conley** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Smith** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Cronin** seconded by, **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Mark Conley** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230.A	
Count 2:	18 VAC 50-22-260.B 28	February 1, 2006
Count 3:	18 VAC 50-22-260.B.10	
Count 4:	18 VAC 50-22-230.B	September 1, 2001
Count 5:	§54.1-1110 of the Code of Virginia	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Kirby, Wood, Williams and Cronin.

Smith was not present and did not vote. **Hart** and **Miller** were absent.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	\$350.00	
Count 2:	\$400.00	
Count 3:	\$300.00	
Count 4:	\$400.00	
Total		\$1,450.00
The Board also imposed revocation of license 2705-114274 for violation of its Regulations.		
In addition, for violation of Count 1, 2, 3 and Count 4, the Board voted to require Mark Conley have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

[REDACTED]

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Kirby, Wood, Williams and Cronin.

Smith was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-00279, Robert James Perry Sr (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-00279
Robert James Perry Sr

Robert James Perry Sr (Respondent) did attend the Informal Fact Finding Conference via telephone. Robert James Perry, Sr. did not appear at the Board meeting in person or by counsel or by any other qualified representative. Mark C Davis (Complainant) attended the IFF.

The presiding Board representative Mr. Smith was not present, did not participate in the discussion and did not vote.

Earlyne Perkins shared with the Board that a correction needed to be made; in the Summary , first paragraph should read "On February 26, 2010..." and not February 28.

After discussion, a motion was made by Mr. Sumpter seconded by, Mr. Redifer to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary (with amended information as noted above) of the Informal Fact-Finding Conference Recommendations. The Board found that Robert James Perry, Sr. violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 18	
Count 2:	18 VAC 50-22-260.B 28	September 1, 2008

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Kirby, Wood, Williams and Cronin.

Smith was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by Mr. Sumpter and seconded by Mr. Dyer to

impose the following sanctions:

Count 1:	\$1,000.00	
Count 2:	\$1,000.00	
Total		\$2,000.00

In addition, for violation of Count 1, the Board voted to require **Robert James Perry Sr.** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board also imposed revocation of license 2705-055506 for violation of Count 2.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Kirby, Wood, Williams and Cronin.

Smith was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2009-04109, Ted Roberts t/a Ted R. Roberts Builder (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-01452

Ted Roberts t/a Ted R. Robert
Builder

Ted Roberts t/a Ted R. Roberts Builder (Respondent) called and shared he was sick and unable to attend the Board meeting, he requested the case be remanded to an Informal Fact Finding meeting.

The presiding Board representative **Mr. Smith** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Williams** seconded by, **Mr. Sumpter** to remand the case to and Informal Fact Finding Conference.

The motion passed by majority vote. Members voting "yes" were: Tomlin, Dyer, Rusher, Dowdy, Redifer, Sumpter, Kirby, Wood, Williams and Cronin.

Smith was not present and did not vote. Hart and Miller were absent. Walton voted "no".

In the matter of Disciplinary File Number 2010-02101, CNM Builders Inc

File Number

(Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**2010-02101
CNM Builders Inc**

Christopher and Christine Helbig, on behalf of CNM Builders Inc (Respondent) did attend the Informal Fact Finding Conference. **CNM Builders Inc** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Smith** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Williams** seconded by, **Mr. Dyer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **CNM Builders Inc** violated the following sections of its Regulations:

§ 54.1-1110 of the Code of Virginia

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Kirby, Wood, Williams and Cronin.

Smith was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Dyer** to impose the following sanctions:

In addition, the Board voted to issue **CNM Builders Inc** a class B license and place the license on Probation for a period of two years from the effective date of this Order. Further during this probation period CNM will not apply for a Class A license.. The Board also imposed revocation of license 2705-063275 for violation.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Kirby, Wood, Williams and Cronin.

Smith was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-02480, MW Construction Services LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**File Number
2010-02480
MW Construction Services LI**

Greg Marks on behalf of MW Construction Services LLC (Respondent) did

attend the Informal Fact Finding Conference.

The presiding Board representative **Mr. Redifer** was not present, did not participate in the discussion and did not vote.

Kirby chaired this case.

After discussion, a motion was made by **Mr. Sumpter** seconded by, **Mr. Dyer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Perry residential LLC** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 29	
Count 3:	18 VAC 50-22-260.B.15	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Kirby, Williams and Cronin.

Smith and Wood were not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Williams** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$600.00	
Count 3:	\$1,000.00	
Total		\$1,600.00

In addition, for violation of Count 1 and 3, the Board voted to require **MW Construction Services LLC** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board closes Count 2 with a finding of no violation.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Sumpter, Kirby, Wood, Williams and Cronin.

Smith and Wood were not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-03541, David Earl Gardner, t/a Gardner Mechanical (Respondent); the board reviewed the record, which consisted

File Number
2010-03541

of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**David Earl Gardner, t/a
Gardner Mechanical**

David Earl Gardner, t/a Gardner Mechanical (Respondent) did not attend the Informal Fact Finding Conference. **David Earl Gardner, t/a Gardner Mechanical** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Sumpter** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Cronin** seconded by, **Mrs. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **David Earl Gardner, t/a Gardner Mechanical** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 8	
Count 2:	18 VAC 50-22-260.B 6	
Count 3:	18 VAC 50-22-260.B.6	
Count 4:	18 VAC 50-22-260.B.13	
Count 5:	18 VAC 50-22-260 B 12	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Sumpter was not present and did not vote. **Hart** and **Miller** were absent.

After discussion, a motion was made by **Mr. Smith** and seconded by **Mr. Williams** to impose the following sanctions:

Count 1:	\$500.00	
Count 2:	\$1,000.00	
Count 3:	\$1,000.00	
Count 4:	\$2,500.00	
Count 5:	\$2,500.00	
Total		\$7, 500.00
The Board also imposed revocation of license 2705-063000 for		

violation of the Regulations. In addition, for violation of Count 1 and 3, the Board voted to require **David Earl Gardner, t/a Gardner Mechanical** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Sumpter was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-01045, Barnhart Associates Inc. (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**File Number
2010-01045
Barnhart Associates Inc.**

David Barnhart on behalf of Barnhart Associates Inc. (Respondent) did attend the Informal Fact Finding Conference. **Barnhart Associates Inc.** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Michael Crocco (Complainant)** attended the Informal Fact Finding Conference. He did not attend the Board meeting.

The presiding Board representative **Mr. Sumpter** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** seconded by, **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Barnhart Associates Inc.** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 15	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Sumpter was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions:

--

Count 1:	\$2,500.00	
Total		\$2,500.00

In addition, for violation of Count 1, the Board voted to require **Barnhart Associates Inc.** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Sumpter was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-02328, Barnhart Associates Inc. (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**File Number
 2010-02328
 Barnhart Associated Inc.**

David Barnhart on behalf of Barnhart Associates Inc. (Respondent) did attend the Informal Fact Finding Conference. **Barnhart Associates Inc.** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Sumpter** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** seconded by, **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Barnhart Associates Inc.** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 28	
Count 2:	18 VAC 50-22-260.B 28	February 1, 2006

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Sumpter was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions:

--

Count 1:	\$2,000.00	
Count 2:	\$2,000.00	
Total		\$4,000.00
The Board also imposed revocation of license 2705-096483 for violation of its Regulations.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Sumpter was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-02244, LGS Group LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**File Number
2010-02244
LGS Group LLC**

LGS Group LLC (Respondent) did not attend the Informal Fact Finding Conference. **M LGS Group LLC** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Sumpter** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Cronin** seconded by, **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **LGS Group LLC** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 28	
Count 2:	18 VAC 50-22-260.B 28	
Count 3:	18 VAC 50-22-230.B	September 1, 2001

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Sumpter was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Smith** and seconded by **Mr. Walton** to impose the following sanctions:

The Board also imposed revocation of license 2705-120497 for violation of its Regulations.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Sumpter was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-00079, Douglass T Duff, t/a D & T Painting (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number

2010-00079

Douglass T Duff, t/a D & T Painting

Douglass T Duff, t/a D & T Painting (Respondent) did attend the Informal Fact Finding Conference. **Douglass T Duff, t/a D & T Painting** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mr. Sumpter and Mr. Walton** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Redifer** seconded by, **Mr. Williams** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Douglass T Duff, t/a D & T Painting** violated the following sections of its Regulations:

Effective September 1, 2001

Count 1:	18 VAC 50-22-260.B 28	
----------	-----------------------	--

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Sumpter and Walton were not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Williams** to impose the following sanctions:

In addition, for violation of Count 1, the Board voted to revoke license 2705-096332 for the violation of the regulation.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Sumpter and Walton was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-01405, James K Pugh, t/a Downhome Builders (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number

2010-01405

James K Pugh, t/a Downhome Builders

James K Pugh for James K Pugh, t/a Downhome Builders (Respondent) did attend the Informal Fact Finding Conference by telephone. **James K Pugh, t/a Downhome Builders** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Walton** was not present, did not participate in the discussion and did not vote.

During Board discussion, **Mr. Kirby and Mr. Redifer** had questions on the proposed sanctions.

After discussion, a motion was made by **Mr. Cronin** seconded by, **Mr. Williams** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **James K Pugh, t/a Downhome Builders** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 27	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Walton was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Williams** to impose no sanction for the violation of it Regulation:

The motion passed by majority vote. Members voting "yes" were: Sumpter, Dyer, Rusher, Dowdy, Smith, Wood, Williams and Cronin. Members voting "no" were: Kirby, Tomlin and Rusher.

The motion passed with a yes vote of 8 and a no vote of 3.

Walton was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-02280, F S C Group Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-02280
F S C Group Inc

F S C Group Inc (Respondent) did not attend the Informal Fact Finding Conference. **F S C Group Inc** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Walton** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Cronin** seconded by, **Mrs. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **F S C Group Inc** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260.B 10	
Count 3:	18 VAC 50-22-260.B.28	
Count 4:	18 VAC 50-22-260.B.28	
Count 5:	18 VAC 50-22-260 B 12	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Walton was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Smith** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$500.00	
Count 2:	\$500.00	
Count 3:	\$2,500.00	
Count 4:	\$2,500.00	
Count 5:	\$1,000.00	
Total		\$7, 000.00
In addition, for violation of Count 1 and 2, the Board voted to require		

F S C Group Inc have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order. The Board also impose revocation of license 2705-127099 for the violation of Count 3, 4 and 5.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Walton was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-03582, F S C Group Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**File Number
2010-03582
F S C Group Inc**

F S C Group Inc (Respondent) did not attend the Informal Fact Finding Conference. **F S C Group Inc** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Walton** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** seconded by, **Mrs. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **F S C Group Inc** violated the following sections of its Regulations:

Effective February 1, 2006

Count 1:	18 VAC 50-22-260.B 13
----------	-----------------------

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Walton was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Smith** and seconded by **Mr. Williams** to impose the following sanctions:

Count 1:	\$1,500.00
----------	------------

Total	\$1,500.00
The Board also imposed revocation of license 2705-127099 for violation of the Regulations.	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Walton was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-03541, Colonial Construction Corp (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**File Number
2010-02353
Colonial Construction Corp**

Colonial Construction Corp (Respondent) did not attend the Informal Fact Finding Conference. **Colonial Construction Corp** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Walton** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Cronin** seconded by, **Mr. Rusher** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Colonial Construction Corp** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	§ 54.1-1110 of the Code of Virginia	
Count 2:	18 VAC 50-22-230.B	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Walton was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Smith** to impose the following sanctions:

--

Count 2:	\$750.00	
Total		\$750.00

The Board also imposed revocation of license 2705-128574 for violation of the Regulations. In addition, for violation of Count 1 and 2, the Board voted to require Colonial Construction Corp have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Walton was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-03639, Valley Roofing Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**File Number
 2010-03639
 Valley Roofing Inc**

Valley Roofing Inc (Respondent) did not attend the Informal Fact Finding Conference. **Valley Roofing Inc** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Walton** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Rusher** seconded by, **Mr. Smith** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Valley Roofing Inc** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 13	
Count 2:	18 VAC 50-22-230.B	September 1, 2001

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Walton was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Smith** and seconded by **Mr. Sumpter** to impose the following sanctions:

Count 1:	\$1,500.00	
Count 2:	\$750.00	
Total		\$2,250.00

The Board also imposed revocation of license 2705-104466 for violation of Count 1. In addition, for violation of Count 1 and 2 the Board voted to require **Valley Roofing Inc** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Walton was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-04389, **Thoroughbred Investment Corp, t/a Advanced Air Services (Respondent)**; the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-04389
Thoroughbred Investment Co
Advanced Air Services

Thoroughbred Investment Corp, t/a Advanced Air Services (Respondent) did not attend the Informal Fact Finding Conference. **Thoroughbred Investment Corp, t/a Advanced Air Services** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mr. Walton** was not present, did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Williams** seconded by, **Mr. Sumpter** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Thoroughbred Investment Corp, t/a Advanced Air Services** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin,

Sumpter, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Walton was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Smith** and seconded by **Mr. Williams** to impose the following sanctions:

Count 1:	\$1,500.00	
Total		\$1,500.00
The Board also imposed revocation of license 2705-115340 for violation of the Regulations.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Walton was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-00213, Caroline Development And Construction Company LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**File Number
2010-00213
Caroline Development And
Construction Company LLC**

Caroline Development And Construction Company LLC (Respondent) did not attend the Informal Fact Finding Conference. **Caroline Development And Construction Company LLC** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representatives **Mr. Williams and Mrs. Wood** were not present, did not participate in the discussion and did not vote.

Earlyne Perkins shared with the Board that a correction needs to be made as follows:
In the summary – Note "Neither Young, Respondent, nor anyone on his behalf appeared at the IFF.

After discussion, a motion was made by **Mr. Cronin** seconded by **Mr. Rusher** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference (with correction as noted above) Recommendations. The Board found that **Caroline Development And Construction Company LLC** violated the following sections of its Regulations:

Board for Contractors Meeting Minutes

July 13, 2010

Page 71 of 117

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 9	
Count 2:	18 VAC 50-22-260.B 6	
Count 3:	18 VAC 50-22-260.B.27	
Count 4:	18 VAC 50-22-260.B.31	
Count 5:	18 VAC 50-22-260 B 15	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter and Cronin.

Williams and Wood were not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Smith** and seconded by **Mr. Rusher** to impose the following sanctions:

Count 1:	\$400.00	
Count 2:	\$800.00	
Count 3:	\$650.00	
Count 4:	\$400.00	
Count 5:	\$1,700.00	
Total		\$3, 950.00

The Board also imposed revocation of license 2705-120076 for violation of Count 5. In addition, for violation of Count 1, 2, 3 and 4, the Board voted to require **Caroline Development And Construction Company LLC** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter and Cronin.

Wood and Williams was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-00054, Moses T Cuffee (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number

2010-00054

Moses T Cuffee

Moses T Cuffee (Respondent) did not attend the Informal Fact Finding Conference. **Moses T Cuffee** did not appear at the Board meeting in person or by counsel or by

any other qualified representative. **Roy Sukkens** (Complainant) attended the Informal Fact Finding meeting.

Smith chaired this case.

The presiding Board representative **Mrs. Wood** was not present, did not participate in the discussion and did not vote.

Earlyne Perkins shared with the Board that a correction needed to be made in the summary, the file number should be 2010-00054 and not 2010-00045.

After discussion, a motion was made by **Mr. Redifer** seconded by, **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with (correction as noted above) Recommendations. The Board found that **Moses T Cuffee** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 6	
Count 2:	18 VAC 50-22-260.B 9	
Count 3:	18 VAC 50-22-260.B.28	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Sumpter, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Walton, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions:

Count 1:	\$600.00	
Count 2:	\$350.00	
Count 3:	\$2,000.00	
Total		\$2, 950.00

The Board also imposed revocation of license 2705-064421 for violation of the Regulations. In addition, for violation of Count 1 and 3, the Board voted to require **Moses T Cuffee** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-03541, David Harmon t/a Harmon Remodeling (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

**File Number
2010-01240
David Harmon t/a Harmon
Remodeling**

David Harmon t/a Harmon Remodeling (Respondent) did not attend the Informal Fact Finding Conference. **David Harmon t/a Harmon Remodeling** did not appear at the Board meeting in person or by counsel or by any other qualified representative. **Mike and Brenda Kahle (Complainants)** attended the Informal Fact Finding Conference. They also attended the Board meeting and addressed the Board.

The presiding Board representative **Mrs. Wood** was not present, did not participate in the discussion and did not vote.

Smith chaired this case.

After discussion, a motion was made by **Mr. Dyer** seconded by, **Mrs. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **David Harmon t/a Harmon Remodeling** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 8	
Count 2:	18 VAC 50-22-260.B 27	
Count 3:	18 VAC 50-22-260.B.17	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Williams** to impose the following sanctions:

Count 1:	\$350.00	
Count 2:	\$1,300.00	
Count 3:	\$1,500.00	

Board for Contractors Meeting Minutes

July 13, 2010

Page 74 of 117

Total	\$3,150.00
The Board also imposed revocation of license 2705-113082 for violation of the Regulations. In addition, for violation of Count 1 and 2, the Board voted to require David Harmon t/a Harmon Remodeling have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-02167, Gary Kent Miller (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-02167
Gary Kent Miller

Gary Kent Miller (Respondent) did not attend the Informal Fact Finding Conference. **Gary Kent Miller** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Wood** was not present, did not participate in the discussion and did not vote.

Smith chaired this case.

After discussion, a motion was made by **Mr. Sumpter** seconded by **Mr. Williams** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Gary Kent Miller** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 31	
Count 2:	18 VAC 50-22-260.B 17	
Count 3:	18 VAC 50-22-260.B.27	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Williams** to impose the following sanctions:

Count 1:	\$400.00	
Count 2:	\$1,500.00	
Count 3:	\$650.00	
Total		\$2, 550.00
The Board also imposed revocation of license 2705-092119 for violation of the Regulations. In addition, for violation of Count 1 and 3, the Board voted to require Gary Kent Miller have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-02167, Alvin Eugene Gable (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-02167
Alvin Eugene Gable

Alvin Eugene Gable (Respondent) did attend the Informal Fact Finding Conference. **Alvin Eugene Gable** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Wood** was not present, did not participate in the discussion and did not vote.

Smith chaired this case.

After discussion, a motion was made by **Mr. Williams** seconded by, **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found that **Alvin Eugene Gable** violated the following sections of its Regulations:

Effective July 9, 1999

Count 1:	18 VAC 50-30-190.1	
----------	--------------------	--

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions:

Revocation of Gable's master tradesman license for the violation of the regulation.

In addition, the Board voted to impose revocation due to the disregard of the statutory requirement for licensure and the seriousness of the violation and in consideration of previous action taken by the Board in similar violations, the Board is of the opinion that this conduct rises to the degree to warrant revocation of Gable's license.
--

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Wood, Williams and Cronin.

Sumpter was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-02835, Home Solutions USA Inc (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-02835
Home Solutions USA Inc

Home Solutions USA Inc (Respondent) did not attend the Informal Fact Finding Conference. **Home Solutions USA Inc** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Wood** was not present, did not participate in the discussion and did not vote.

Smith chaired this case.

After discussion, a motion was made by **Mr. Williams** seconded by, **Mrs. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Home Solutions USA Inc** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	§ 54.1-1110 of Virginia	
Count 2:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Williams** to impose the following sanctions:

Count 2:	\$2,000.00	
Total		\$2,000.00
The Board also imposed revocation of license 2705-131004 for violation of the Regulations.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-02905, Cobblestone Properties LLC (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation.

File Number
2010-02905
Cobblestone Properties LLC

Cobblestone Properties LLC (Respondent) did not attend the Informal Fact Finding Conference. **Cobblestone Properties LLC** did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Wood** was not present, did not participate in the discussion and did not vote.

Smith chaired this case.

After discussion, a motion was made by **Mr. Dyer** seconded by, **Mr. Dowdy** to adopt the Report of Findings which contains the facts regarding the regulatory and or

statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Cobblestone Properties LLC** violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B 28	
Count 2:	18 VAC 50-22-260.B 13	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

After discussion, a motion was made by **Mr. Dyer** and seconded by **Mr. Dowdy** to impose the following sanctions:

Count 1:	\$1,900.00	
Count 2:	\$2,000.00	
Total		\$3, 900.00
The Board also imposed revocation of license 2705-126390 for violation of the Regulations.		

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

In the matter of Disciplinary File Number 2010-02919, Jeffrey Carmichael, t/a Carmichael Construction (Respondent); the board reviewed the record, which consisted of the application file, transcript, exhibits from the IFF, and the Summary of the Informal Fact-Finding Conference and the recommendation. **Dianne Cardea (Complainant)** attended the Informal Fact Conference. She also attended the Board meeting.

File Number
2010-02919
Jeffrey Carmichael , t/a
Carmichael Construction

Jeffrey Carmichael, t/a Carmichael Construction (Respondent) did not attend the Informal Fact Finding Conference. **Jeffrey Carmichael, t/a Carmichael Construction** I did not appear at the Board meeting in person or by counsel or by any other qualified representative.

The presiding Board representative **Mrs. Wod** was not present, did not participate in

the discussion and did not vote.

After discussion, a motion was made by **Mr. Sumpter** seconded by **Mrs. Tomlin** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board found that **Jeffrey Carmichael , t/a Carmichael Construction** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B 27	
Count 2:	18 VAC 50-22-260.B 6	Two violations
Count 3:	18 VAC 50-22-260.B.5	

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

Smith chaired this case.

After discussion, a motion was made by **Mr. Sumpter** and seconded by **Mr. Dyer** to impose the following sanctions:

Count 1:	\$700.00	
Count 2:	\$2,000.00	
Count 3:	\$1,400.00	
Total		\$4, 100.00

The Board also imposed revocation of license 2705-123782 for violation of the Regulations. In addition, for violation of Count 1 and 2, the Board voted to require **Jeffrey Carmichael, t/a Carmichael Construction** have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.

The motion passed by unanimous vote. Members voting "yes" were: Tomlin, Walton, Dyer, Rusher, Dowdy, Redifer, Smith, Kirby, Sumpter, Williams and Cronin.

Wood was not present and did not vote. Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02919 Board v. TEB Construction, INC.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-02919
TEB Construction, Inc.**

TEB Construction, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	§ 54.1-1110 of the Code of Virginia	\$0.00
Count 2:	18 VAC 50-22-260 B 2	\$0.00
Board Costs		\$150.00
Total		\$150.00
In addition, for violation of Counts 1 – 2, TEB Construction, Inc. agrees to revocation of its license.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Walton, Tomlin, Williams, Kirby, Rusher, Redifer, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Mr. Cronin, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02487 Board v. D P Saunders Construction Company, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-02487
D P Saunders Construction
Company, Inc.**

D P Saunders Construction Company, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$350.00
Count 2:	18 VAC 50-22-260 B 15	\$250.00
Count 3:	18 VAC 50-22-260 B 18 (2 violations @ \$500.00 each)	\$1,000.00
Count 4:	18 VAC 50-22-260 B 18	\$500.00
Board Costs		\$150.00
Total		\$2,250.00
Further, D P Saunders Construction Company, Inc. agrees to have		

a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Redifer** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Williams, Rusher, Redifer, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Mr. Kirby, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2009-03577 Board v. Kenneth Charles Harris; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2010-003577

Kenneth Charles Harris

Kenneth Charles Harris, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-30-190 5	\$500.00
Count 2:	18 VAC 50-30-190 8	\$500.00
Board Costs		\$150.00
Total		\$1,500.00

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Kirby, Williams, Rusher, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Mr. Redifer, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-00498 Board v. LaRock Builders, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2010-00498

LaRock Builders, Inc.

LaRock Builders, Inc. acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Board for Contractors Meeting Minutes
July 13, 2010
Page 82 of 117

Count 1:	18 VAC 50-22-260 B 25	\$500.00
Board Costs		\$150.00
Total		\$650.00

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Kirby, Williams, Rusher, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Mr. Redifer, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-00608 Board v. Michael A. Shifflett, t/a M & S Water Wells; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-00608

**Michael A. Shifflett, t/a M
& S Water Wells**

Michael A. Shifflett, t/a M & S Water Wells, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 5	\$500.00
Board Costs		\$0.00
Total		\$500.00
Further, for violation of Count 1, Michael A. Shifflett, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Kirby, Williams, Rusher, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Mr. Redifer, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-00785 Board v. Michael A. Shifflett, t/a M & S Water Wells; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-00785

**Michael A. Shifflett, t/a M &
S Water Wells**

Michael A. Shifflett, t/a M & S Water Wells, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 5	\$500.00
Board Costs		\$ 0.00
Total		\$500.00
Further, for violation of Count 1, Michael A. Shifflett, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Kirby, Williams, Rusher, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Mr. Redifer, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-00786 Board v. Michael A. Shifflett, t/a M & S Water Wells; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-00786
Michael A. Shifflett, t/a M & S Water Wells

Michael A. Shifflett, t/a M & S Water Wells, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 5	\$500.00
Board Costs		\$ 0.00
Total		\$500.00
Further, for violation of Count 1, Michael A. Shifflett, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Kirby, Williams, Rusher, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Mr. Redifer, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02834 Board v. Walter Blanton Pierce; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-02834
Walter Blanton Pierce**

Walter Blanton Pierce, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-30-190 1	\$1,500.00
Count 2:	18 VAC 50-30-190 1	\$ 650.00
Count 3:	18 VAC 50-30-190 1	\$1,350.00
Board Costs		\$ 150.00
Total		\$3,650.00
Further, for violation of Counts 1 -3, Walter Blanton Pierce, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Kirby, Williams, Redifer, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Mr. Rusher, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02218 Board v. Harley Enterprises; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-02218
Harley Enterprises**

Harley Enterprises, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 22	\$ 0.00
Count 2:	18 VAC 50-22-260 B 22	\$ 0.00

Board for Contractors Meeting Minutes
July 13, 2010
Page 85 of 117

Count 3:	18 VAC 50-22-260 B 23	\$300.00
Count 4:	18 VAC 50-22-260 B 23	\$600.00
Board Costs		\$ 0.00
Total		\$1,050.00
In addition, for violation of Counts 1 -2, Harley Enterprises, Inc. agrees to a three (3) month probation of its license as of the effective date of this Order.		
Further, Harley Enterprises, Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Sumpter, Dowdy, Wood, and Dyer.**

Mr. Smith, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02213 Board v. **John F. Perkins, t/a Diamond Kote Asphalt Paving**; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02213
John F. Perkins, t/a Diamond
Kote Asphalt Paving

John F. Perkins, t/a Diamond Kote Asphalt Paving, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 2	\$1,000.00
Board Costs		\$ 15 0.00
Total		\$1,150.00
Further, for violation of Count 1, John F. Perkins, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Kirby, Williams, Rusher, Redifer, Smith, Dowdy, Wood, and Dyer.**

Mr. Sumpter, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02075 Board v. Rightway Remodelers, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-02075
Rightway Remodelers, Inc.**

Rightway Remodelers, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 2	\$0.00
Count 2:	18 VAC 50-22-230 B	\$850.00
Board Costs		\$ 150.00
Total		\$1,000.00

In addition, for violation of Count 1, Rightway Remodelers, Inc. agrees to suspension of its license until a financial statement, not more than one year old, for Rightway Remodelers, Inc. has been received by the Board. Rightway Remodelers, Inc. also agrees to provide pertinent documents to verify the information contained in the financial statement.

Such documentation shall conform to the requirements outline in 18 VAC 50-22-60 D and shall be submitted to the Board within sixty (60) days of entry of this Order. If Rightway Remodelers falls to comply with this term of the Order, its license shall be automatically revoked.

Further, Rightway Remodelers, Inc. agrees to have a member of Responsible Management successfully complete a Board approved remedial education class.

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Kirby, Williams, Rusher, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Mrs. Tomlin, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02917 Board v. JAtlas Builders, LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02917
Atlas Builders, LLC

Atlas Builders, LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	§ 54.1-1110 of the Code of Virginia	\$0.00
Count 2:	18 VAC 50-22-260 B 13	\$0.00
Board Costs		\$0.00
Total		\$0.00
Further, for violation of Count 1, Atlas Builders, LLC agrees to revocation of its license.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Sumpter, Tomlin, Kirby, Williams, Rusher, Redifer, Smith, Dowdy, Wood, and Dyer.**

Mr. Walton, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02981 Board v. Charles R. Cope, t/a Action Roofing Company; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02981
Charles R. Cope, t/a Action Roofing Company

Charles R. Cope, t/a Action Roofing Company, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	§ 54.1-1110 of the Code of Virginia	\$0.00
Board Costs		\$150.00
Total		\$150.00
Further, for violation of Count 1, Charles R. Cope, agrees to		

revocation of his license.

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Kirby, Williams, Redifer, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Mr. Wood, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-03684 Board v. Old Dominion Septic Service, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2010-03684

**Old Dominion Septic Service,
Inc.**

Old Dominion Septic Service, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	§ 54.1-1110 of the Code of Virginia	\$0.00
Board Costs		\$ 150.00
Total		\$150.00

In addition, Old Dominion Septic Service, Inc. agrees to reimburse the Virginia Contractors Recovery Fund the total amount of the claim and any penalties or costs associated with File number 2009-01381 within ninety (90) days of the effective date of this Order. If Old Dominion Septic Services, Inc. fails to comply with this term of this Order, its license shall be automatically revoked.

Further, Old Dominion Septic Service, Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Kirby, Williams, Redifer, Sumpter, Smith, Dowdy, Rusher, and Dyer.**

Mrs. Wood, the hearing officer, was not present and did not participate.

Hart and Miller were absent.

In the matter of Consent Order File Number 2009-00070 Board v. Michael Lee Ray, t/a Weather Tite Home Improvements; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-00070
Michael Lee Ray, t/a Weather
Tite Home Improvements**

Michael Lee Ray, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$0.00
Board Costs		\$ 0.00
Total		\$0.00
Further, for violation of Count 1, Michael Lee ray, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Kirby, Williams, Redifer, Rusher, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2009-03910 Board v. Christopher Michael Smoot, t/a S & C Construction; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2009-03910
Christopher Michael Smoot, t/
S & C Construction**

Christopher Michael Smoot, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22-260 B 6	\$800.00
Board Costs		\$150.00
Total		\$1,300.00
The Board agrees to waive imposition of the \$350.00 monetary penalty for Count 1, as Christopher Michael Smoot provided a contract to the Board that is in compliance with Board Regulation 18 VAC 50-22-260 B 9.		

Further, Christopher Michael Smoot agrees to have a member of Responsible Management successfully complete a Board approved remedial education class. The Board agrees to waive \$400.00 of the monetary penalty imposed for Count 2 provided that the above referenced remedial education requirement is completed within ninety (90) days of the effective date of this Order. If Christopher Michael Smoot fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Kirby, Williams, Redifer, Rusher, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-00152 Board v. Todd A. Dominick, Dom Lor Construction, Inc., t/a Use in VA by Rycon Construction; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2010-00152

Todd A. Dominick, Dom Lor Construction, Inc., t/a Use in VA by Rycon Construction

Todd A. Dominick, Dom Lor Construction, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29 (4 violations @ \$100.00 each)	\$400.00
Board Costs		\$ 150.00
Total		\$550.00

Further, for violation of Count 1, Todd A. Dominick, Dom Lor construction, Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Tomlin, Kirby, Williams, Redifer, Rusher, Sumpter, Smith, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-00951 Board v. Robert Pisciotta; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-00951
Robert L. Pisciotta

Robert L. Pisciotta, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$ 650.00
Count 2:	18 VAC 50-22-230 A	\$350.00
Board Costs		\$150.00
Total		\$1,150.00
Further, Robert L. Pisciotta, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-01165 Board v. Brothers & Brothers Cleaning Service, LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-01165
Brothers & Brothers Cleaning Service, LLC

Brothers & Brothers Cleaning Service, LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$350.00
Count 2:	18 VAC 50-22-260 B 9	\$300.00
Count 3:	18 VAC 50-22-260 B 17	\$1,500.00
Count 4:	18 VAC 50-22-260 B 13	\$1,000.00
Count 5:	18 VAC 50-22-260 B 13	\$1,000.00
Board Costs		\$150.00
Total		\$4,300.00

In addition, for violation of Counts 3-5, Brothers & Brothers Cleaning Service, LLC agrees to revocation of its license.

Further, Brothers & Brothers Cleaning Service, LLC, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by Mr. Kirby seconded by Mr. Williams the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-01234 Board v. Timothy Vanover, t/a Vanover Renovations; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-01234
Timothy Vanover, t/a Vanover Renovations

Timothy Vanover, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$500.00
Count 2:	18 VAC 50-22-260 B 27	\$650.00
Board Costs		\$150.00
Total		\$1,300.00
Further, Timothy Vanover, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by Mr. Kirby seconded by Mr. Williams the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-01341 Board v. Sang Man Yi, t/a Complete Home Service; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the

File Number
2010-01341
Sang Man Yi, t/a Complete

regulatory and/or statutory issues in this matter.

Home Service

Sang Man Yi, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$400.00
Board Costs		\$150.00
Total		\$550.00
Further, Sang Man Yi, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-01470 Board v. Chauncey Brown, t/a C & M Diversified; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-01470
Chauncey Brown, t/a C & M
Diversified

Chauncey Brown, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$450.00
Board Costs		\$150.00
Total		\$600.00
Further, Chauncey Brown, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-01719 Board v. Sign Systems, Inc., t/a Sign Systems, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-01719
Sign Systems, Inc., t/a Sign
Systems, Inc.**

Sign Systems, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 18	\$400.00
Board Costs		\$150.00
Total		\$550.00
Further, Sign Systems, Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-01864 Board v. Lewis Moore, t/a Moore Builders; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-01864
Lewis Moore, t/a Moore
Builders**

Lewis Moore, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$500.00
Count 2:	18 VAC 50-22-260 B 6	\$600.00
Count 3:	18 VAC 50-22-260 B 27	\$500.00
Count 4:	18 VAC 50-22-260 B 26	\$650.00
Count 5:	18 VAC 50-22-260 B 31	\$200.00
Board Costs		\$150.00
Total		\$2,600.00
Further, Lewis Moore, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-01972 Board v. Kelli J. Melo-Hernandez, t/a Kelli Contracting/Hernandez Home Improvements; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2010-01972

**Kelli J. Melo-Hernandez, t/a
Kelli Contracting/Hernandez
Home Improvements**

Kelli J. Melo-Hernandez, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$550.00
Further, Kelli J. Melo-Hernandez, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-01993 Board v. George H. Linkous, Jr., t/a G & L Builders, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2010-01993

**George H. Linkous, Jr., t/a G
& L Builders, Inc.**

G & L Builders, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
----------	----------------------	----------

Board for Contractors Meeting Minutes

July 13, 2010

Page 96 of 117

Count 2:	18 VAC 50-22-260 B 9	\$400.00
Count 3:	18 VAC 50-22-260 B 31	\$500.00
Count 4:	18 VAC 50-22-260 B 29	\$650.00
Board Costs		\$150.00
Total		\$2,050.00

Further, G & L Builders, Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Also, the Board shall waive imposition of the \$350.00 monetary penalty for Count 1 provided a member of Responsible Management completes remedial education as noted above. If G & L Builders, Inc. fails to comply with this condition, then the full monetary penalty will be automatically imposed.

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02038 Board v. Ladd Builders, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02038
Ladd Builders, Inc.

Ladd Builders, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$500.00
Count 2:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$1,050.00

Further, Ladd Builders, Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy,**

Wood, and Dyer.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02036 Board v. Kevin Taylor, t/a Revive Painting & Decoration; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02036

**Kevin R. Taylor, t/a Revive
Painting & Decorating**

Kevin R. Taylor, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$0.00
Count 2:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$550.00

Further, Kevin R. Taylor, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

It is noted that Kevin R. Taylor has provided a copy of his current contract that is in compliance with Board Regulation 18 VAC 50-22-260 B 9; therefore, no monetary penalty is imposed.

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02038 Board v. Allgood Construction Co., Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02038

Allgood Construction, Co., Inc

Allgood Construction, Co., Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29 (2 violations @ \$600.00 each)	\$1,200.00
----------	--	------------

Board for Contractors Meeting Minutes
July 13, 2010
Page 98 of 117

Board Costs		\$150.00
Total		\$1,350.00
Further, Allgood Construction Co., Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02145 Board v. Country Club Home Builder, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02145
Country Club Home Builder, Inc.

Country Club Home Builder, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$0.00
Count 2:	18 VAC 50-22-260 B 31	\$400.00
Count 3:	18 VAC 50-22-260 B 6	\$400.00
Board Costs		\$150.00
Total		\$950.00
Further, Country Club Home Builders, Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02177 Board v. A V Remodeling & Construction, LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts

File Number
2010-02177
A V Remodeling & Constructi

regarding the regulatory and/or statutory issues in this matter.

LLC

A V Remodeling & Construction, LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29 (4 violations @ \$600.00 each)	\$2,400.00
Count 2:	18 VAC 50-22-260 B 6 (3 violations @ \$800.00 each)	\$2,400.00
Board Costs		\$150.00
Total		\$4,950.00

Further, A V Remodeling & Construction, LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by Mr. Kirby seconded by Mr. Williams the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02205 Board v. Aspen Industries, LLC, t/a Aspen Industries, LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02205

**Aspen Industries, LLC, t/a
Aspen Industries, LLC**

Aspen Industries, LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 26	\$1,900.00
Board Costs		\$150.00
Total		\$2,050.00

Also, for violation of Count 1, Aspen Industries, LLC agrees to revocation of its license.

Further, the Board shall waive imposition of the \$1,900.00 monetary penalty and license revocation for Count 1, provided Aspen Industries, LLC satisfies the judgment and provides the Board with proof of the satisfaction within ninety (90) days of the effective date of this Order. If Aspen Industries, LLC fails to

comply with these conditions, then license revocation and the full monetary penalty will be automatically imposed.

In addition, Aspen Industries, LLC, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02266 Board v. Freddie Mashore, Sr., t/a F M Roofing; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02266
Freddie Mashore, Sr., t/a
F M Roofing

Freddie Mashore, Sr., t/a F M Roofing, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$500.00
Board Costs		\$150.00
Total		\$650.00

In addition, the Board shall waive imposition of the \$500.00 monetary penalty and remedial education for Count 1 provided Freddie Mashore, Sr. provides the Board with proof of passing the Class B examination and submits a completed application for licensure to the Board within ninety (90) days of the effective date of this Order. If Freddie Mashore, Sr. fails to comply with these conditions, then the full monetary penalty and remedial education will be automatically imposed.

Further, Freddie Mashore, Sr., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy,**

Wood, and Dyer.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02284 Board v. Comfort Technology, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-02284
Comfort Technology, Inc.**

Comfort Technology, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22-260 B 31	\$400.00
Count 3:	18 VAC 50-22-260 B 6	\$800.00
Count 4:	18 VAC 50-22-260 B 11	\$350.00
Board Costs		\$150.00
Total		\$2,050.00
Further, Comfort Technology, Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02326 Board v. Paul A. Baker, t/a PB Contruction; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-02326
Paul A. Baker, t/a PB
Construction**

Paul A. Baker, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 28	\$1,900.00
Board Costs		\$150.00
Total		\$2,050.00

Board for Contractors Meeting Minutes

July 13, 2010

Page 102 of 117

In addition, for violation of Count 1, Paul A. Baker agrees to revocation of his license.

Further, the Board shall waive imposition of the \$1,900.00 monetary penalty and license revocation for Count 1, provided Paul A. Baker satisfies the judgment and provides the Board with proof of the satisfaction within ninety (90) days of the effective date of this Order. If Paul A. Baker fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

Also, for violation of Count 1, Paul A. Baker, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02334 Board v. Jomphe Entreprises, LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

Jomphe Entreprises, LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$400.00
Count 2:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$950.00

Further, Jomphe Entreprises, LLC, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

File Number

2010-02334

Jomphe Entreprises, LLC

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02368 Board v. Icon Construction, LLC; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-02368
Icon Construction, LLC**

Icon Construction, LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 9	\$400.00
Count 2:	18 VAC 50-22-260 B 29	\$600.00
Count 3:	18 VAC 50-22-230 B	\$500.00
Board Costs		\$150.00
Total		\$1,650.00
Further, Icon Construction, LLC, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02384 Board v. Richard J. fisher, t/a R J Fisher Construction Co.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-02384
Richard J. Fisher, t/a R J Fish-
Construction Co.**

Richard J Fisher, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$350.00
Count 2:	18 VAC 50-22-260 B 27	\$650.00
Board Costs		\$150.00
Total		\$1,150.00

Further, Richard J Fisher, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Upon a motion by Mr. Kirby seconded by Mr. Williams the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02391 Board v. Old World Kitchens and Bath, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02391
Old World Kitchens and Bath.

Old World Kitchens and Bath, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$100.00
Board Costs		\$150.00
Total		\$250.00
Further, Old World Kitchens and Bath, Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by Mr. Kirby seconded by Mr. Williams the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02421 Board v. Pro-Pave Incorporated; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02421
Pro-Pave Incorporated

Pro-Pave Incorporated, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$550.00
Further, Pro-Pave Incorporated, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02427 Board v. Lee Daniel Thompson, t/a Thompson Construction; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
 2010-02427
 Lee Daniel Thompson, t/a
 Thompson Construction**

Lee Daniel Thompson, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 18	\$500.00
Board Costs		\$150.00
Total		\$650.00
Further, Lee Daniel Thompson, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02428 Board v. William L. Pope, t/a W. L Pope Contractors; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts

**File Number
 2010-02428
 William L. Pope, t/a W L Pope**

regarding the regulatory and/or statutory issues in this matter.

Contractors

William L. Pope, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 6	\$250.00
Count 2:	18 VAC 50-22-260 B 27	\$250.00
Board Costs		\$150.00
Total		\$650.00
Further, William L. Pope, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02502 Board v. Charles R. Webb, t/a C R Webb Contractor; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02502

Charles R. Webb, t/a C R Webb Contractor

Charles R. Webb, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$300.00
Board Costs		\$150.00
Total		\$450.00
Further, Charles R. Webb, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02554 Board v. David Huffman General Contractor, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-02554
David Huffman General
Contractor, Inc.**

David Huffman General Contractor, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29	\$600.00
Board Costs		\$150.00
Total		\$750.00
Further, David Huffman General Contractor, Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02658 Board v. Speedy-Rooter, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-02658
Speedy-Rooter, Inc.**

Speedy-Rooter, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 27	\$650.00
Board Costs		\$150.00
Total		\$800.00
Further, Speedy-Rooter, Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02674 Board v. Martin G. Confrey, t/a Marty's Custom Roofing; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02674
Martin G. Confrey, t/a Marty's
Custom Roofing

Martin G. Condrey, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$50.00
Board Costs		\$150.00
Total		\$200.00
Further, Martin G. Condrey, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02745 Board v. Scott Thomas Construction Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02745
Scott Thomas Construction, Inc.

Scott Thomas Construction, Inc., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 28	\$0.00
Count 2:	18 VAC 50-22-230 B	\$0.00
Board Costs		\$150.00

Total	\$150.00
In addition, for violation of Count 1, Scott Thomas Construction, Inc. agrees to revocation of its license.	

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02921 Board v. Mel Cianciotti, t/a M & T Contracting; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02921
Mel Cianciotti, t/a M & T
Contracting

Mel Cianciotti, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 29 (2 violations @ \$600.00 each)	&1,200.00
Count 2:	18 VAC 50-22-260 B 31	\$400.00
Board Costs		\$150.00
Total		\$1,750.00
Further, Mel Cianciotti, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-02997 Board v. J R Price, t/a J R Price Construcion; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-02997
J R Price, t/a J R Price
Construction

J R Price, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$600.00
Board Costs		\$150.00
Total		\$750.00
Further, J R Price, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-03579 Board v. **Michael D. Blackstock, t/a Blackstock Construction**; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number

2010-03579

**Michael D. Blackstock, t/a
Blackstock Construction**

Michael D. Blackstock, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 8	\$35000
Count 2:	18 VAC 50-22-260 B 27	\$650.00
Board Costs		\$150.00
Total		\$1,150.00
Further, Michael d. Blackstock, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-03607 Board v. Mathew Scott Fleenor, t/a Fleenor Construction and Custom Homes; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-03607
Matthew Scott Fleenor, t/a
Fleenor Construction and
Custom Homes**

Matthew Scott Fleenor, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230 A	\$500.00
Count 2:	18 VAC 50-22-260 B 9	\$600.00
Count 3:	18 VAC 50-22-260 B 15	\$2,500.00
Board Costs		\$150.00
Total		\$3,750.00

In addition, Matthew Scott Fleenor agrees to revocation of his license.

The Board shall waive imposition of the \$500.00 monetary penalty for Count 1, the \$600.00 monetary penalty for Count 2, and the \$2,500.00 monetary penalty for Count.

Further, the Board shall waive Board costs.

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-04707 Board v. David C. Snipes; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

**File Number
2010-04707
David C. Snipes**

David C. Snipes, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-30-190 11	\$0.00
Board Costs		\$150.00
Total		\$150.00

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

In the matter of Consent Order File Number 2010-04709 Board v. D & D Services of VA, Inc., t/a D & d Services of VA, Inc.; the Board reviewed the Consent Order. Incorporated in the Consent Order is the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter.

File Number
2010-04709

D & D Services of VA, Inc., t/a
D & D Services of VA, Inc.

D & D Services of VA, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260 B 22	\$0.00
Board Costs		\$150.00
Total		\$150.00
Further, D & D Services of VA, Inc., agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Kirby** seconded by **Mr. Williams** the Board ratified the Consent Order with an unanimous vote: Members voting "Yes" were: **Cronin, Walton, Redifer, Tomlin, Kirby, Williams, Rusher, Smith, Sumpter, Dowdy, Wood, and Dyer.**

Hart and Miller were absent.

The Board took a lunch break at 1:00 pm and reconvened at 1:15 pm.

Lunch Break and Reconvene

Adrienne Mayo briefed the Board on the Committee Report.

Education Report

The following is a summary and report of the meeting of the Committee of the Board for Contractors held on July 12, 2010. The items requiring Board action are marked with an asterisk (*).

Education Provider Applications*

Applications for proposed education providers and courses were reviewed and the Committee recommendations are as follows:

NAME	EDUCATION	TYPE	Meets Criteria for Approval Set forth by Board?	Committee Recommendation
Jade Learning	1 class (online) – Electrical (2008 NEC Changes)	Continuing Ed (3 credit hours)	Yes -	Approval of 1 class
BlueVolt	1 class (online) – Electrical (2008 Significant Changes to the NEC)	Continuing Ed (3 credit hours)	Yes -	Approval of 1 class
American Ground Water Trust	2 classes (classroom) – Ground Source Heating & Cooling Geothermal Vertical Loop Installer Course ***Retroactive approval through May 18, 2010***	WW Continuing Ed (8 credit hours for each course)	Yes -	Retroactive Approval of 2 classes through May 18, 2010
NC Electrical Institute	1 class (classroom) – Electrical (2008 NEC Changes) ***Retroactive approval through April 1, 2010***	Continuing Ed (3 credit hours)	Yes -	Retroactive Approval of 1 class through April 1, 2010 as long as school shows that disclaimer has been signed by students that have taken the seminar
Virginia Water Well Association	5 classes (classroom) – 2010 Fall Field	Continuing Ed (8 credit hours),	Yes -	Approval of 5 classes

Board for Contractors Meeting Minutes

July 13, 2010

Page 114 of 117

	Day, Geothermal Drilling Install, Unknown Factors of Sand Enhanced Geothermal Grout, Thermal Conductivity Testing, Intro to Polyethylene Socket & Butt Fusion	Vocational Ed (4, 2, 1, 1 credit hours)		
Central Virginia Compliance Consultants	4 classes (classroom) – 2009 Plumbing Code Update, 2009 Mechanical Code Update, 2009 Fuel Gas Code Update, 2008 Electrical Code Update	Continuing Education (3 credit hours)	Yes -	Approval of 4 classes
Dana Smith	3 classes (online) – 2009 Mechanical Code, 2009 Plumbing Code, 2009 Fuel Gas Code	Continuing Education (3 credit hours for HVAC & PLB, 1 credit hour for GFC)	Yes -	Approval of 3 classes
Roto-Rooter Plumbing School	5 classes (classroom) – Backflow Tester Certification, Journeyman Plumbing/Gas Fitter (2 vocational requests and 2 CE requests) ***Retroactiv e approval through 2002***	Vocational Education (40 credit hours for backflow, 580 credit hours for PLB and GFC) Continuing Education (3 credit hours for PLB and 1 credit hour for GFC)	Yes -	Approval of 5 classes – Allowing retroactive approval for students who have completed the courses after July 12, 2009

National Elevator Industry Educational Program	16 classes (classroom & online) – DC Generators & Motors, Solid State Theory & Application, Solid State Theory & Application II, Microprocessor Based Control, Hydraulic Controller Theory & Troubleshooting, Reroping Series, Customer Relations Series, Escalators Series, Door Operator Series, CEO11, Maintenance, Rack & Pinion, Traveling Cable Series, Limited Use/Limited Access Application, CEO16, Testing Hydraulic Elevators, Osha 10, Asbestos	Continuing Education (8 credit hours)	Yes – (online requirements to be shown at meeting)	Denial of 3 classes: Asbestos, Osha 10, Customer Relations Series Approval of 13 other courses
Delaware Technical & Community College	2 classes (classroom) – NFPA 70E, Programmable Logic Controllers	Continuing (3 credit hours)	Yes -	Denial of both courses

New Business:

Online Continuing Education Courses

The Committee request board staff to gather online timer data from continuing education providers for their review during their December meeting.

Continuing Education Course and Reinstatement*

The Committee reaffirmed the December 2009 Board decision that beginning with January, 2010 license expirations, regulants will only be given a 30 day grace period to complete continuing education. Licenses that are not renewed within 30 days from expiration of the license must apply for reinstatement of the license.

Regulation Review*

The Committee reviewed and after discussion recommends the Board adapt to include within the Individual License and Certification Regulation language for Certified Accessibility Mechanics and temporary license regulation. The Committee further recommends the Board adapt to include within the Board for Contractor Regulations language for temporary licenses.

After discussion a motion was made by Mr. Sumpter and seconded by Mr. Redifer to approve the recommendation of the committee for adapting to include within the Board for Contractor Regulations language for temporary licenses. The motion passed with a unanimous vote: Members voting "yes" were: **Wood, Redifer, Kirby, Cronin, Smith, Tomlin, Rusher, Dowdy, Dyer, Williams and Walton**. Members absent were Miller and Hart.

Request for Applicant Examination Candidate List

A representative of The Contractor School in New Mexico approach the Committee requesting a list of applicants approved for examination. The Committee thanked him but advised that no list is generated and, they cannot honor its request at this time. No action was taken by the Committee.

A. Information Update:

Eric Olson briefed the Board bringing them up to date regarding the Regulatory package.

He shared that the Certified Accessibility Mechanics and temporary licenses are all slated to begin on July 1, 2010. He also shared that staff is trying to fast track the regulations. Upon a motion from **Mr. Redifer** seconded by **Mrs. Tomlin** the Board

Other Board Business

voted unanimously to submit a NOIRA and commence the regulatory process for the upcoming Certified Accessibility Mechanics and LULA endorsement. Members voting yes were: **Cronin, Dowdy, Dyer, Kirby, Rusher, Redifer, Smith, Sumpter, Tomlin, Walton, Williams and Wood.** Hart and Miller were absent.

B. Trades Temporary:

It was shared with the Board the Legislature passed a bill that Temporary license may be issued and they will be good for 45 days, may not be renewed and you can not get a second temporary license. Staff recommended no temp license be issued for Trades. The motion to receive the report and to not issue temporary Trades licenses was offered by **Mr. Redifer** and seconded by **Mr. Kirby** passed with a unanimous vote. Members voting yes were: **Cronin, Dowdy, Dyer, Miller, Kirby, Rusher, Redifer, Smith, Sumpter, Tomlin, Walton, Williams and Wood**

C. PSI:

Mr. Mark Courtney gave the Board an update on reported PSI Exams activity. He shared that the matter had been investigated and addressed with PSI. The matter was pursued in General Court. The person was found guilty with 6 months in jail, \$1 fine suspended with 5 years allowed to repay \$4,000.00. We don't think his action imposed a risk on the exam.

D. Recovery Fund Information

Stephen Jack shared that the language in the order must now be the same language in the judgment order. Referencing 54.1-1123 E sub division 7 A1 and A 2.

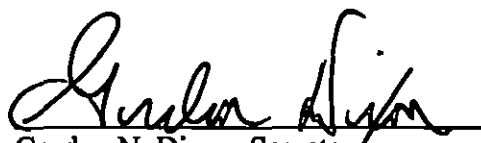
The next Board meeting will be October 19th, 2010.

New Business

Their being no further business to come before the board, the meeting was adjourned at 2:30 p.m. upon a motion by **Mrs. Tomlin** and seconded by **Mr. Smith**. The motion passed by unanimous vote. Members voting "Yes" were: **Sumpter, Dyer, Rusher, Tomlin, Dowdy, Kirby, Williams, Cronin, Redifer, Smith, Wood and Walton.** Members absent were: **Hart and Miller.**

Adjournment


Dorothy Wood, Chairman


Gordon N. Dixon, Secretary

Copy teste:

Custodian of the Record

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Mark Cronin
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors
(Name of Board)
4. Meeting/IFF Date: July 13, 2010
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I do not have a personal interest in any transactions taken at this meeting.


Signature

July 13, 2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Bailey Dowdy
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors
(Name of Board)
4. Meeting/IFF Date: July 13, 2010
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____


I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.



Signature

July 13, 2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Herbert "Jack" Dyer, Jr.
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors
(Name of Board)
4. Meeting/IFF Date: July 13, 2010
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- ☐ I am able to participate in this transaction fairly, objectively, and in the public interest.
or
☐ I did not participate in the transaction.

6. ☐ I **do not** have a personal interest in any transactions taken at this meeting.



Signature

July 13, 2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Robert Kirby
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors
(Name of Board)
4. Meeting/IFF Date: July 13, 2010
(Date)

5. I have a personal interest in the following transaction:

NONE
(Agenda Item)

Nature of Personal Interest Affected by Transaction: N/A

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

AGC OF VT, PMP OF VT, BUILDERS EXCH. DE KIRBY, INC.

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I do not have a personal interest in any transactions taken at this meeting.

Robert Kirby
Signature

July 13, 2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Homer Sumpter
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors
(Name of Board)
4. Meeting/IFF Date: July 13, 2010
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.

Homer C. Sumpter
Signature

July 13, 2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Michael Redifer
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors
(Name of Board)
4. Meeting/IFF Date: July 13, 2010
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

UBDA UPWA ILL IAEI NPRA

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I do not have a personal interest in any transactions taken at this meeting.



Signature

July 13, 2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: William "Bill" Rusher
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors
(Name of Board)
4. Meeting/IFF Date: July 13, 2010
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.

William Rusher
Signature

July 13, 2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Troy Smith, Jr.
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors
(Name of Board)
4. Meeting/IFF Date: July 13, 2010
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

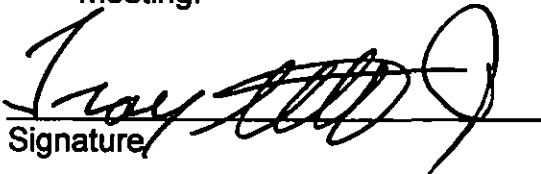
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I do not have a personal interest in any transactions taken at this meeting.


Signature

July 13, 2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Deborah Lynn Tomlin
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors
(Name of Board)
4. Meeting/IFF Date: July 13, 2010
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☒ I do not have a personal interest in any transactions taken at this meeting.

Deborah Lynn Tomlin
Signature

July 13, 2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Wyatt H. Walton, III
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors
(Name of Board)
4. Meeting/IFF Date: July 13, 2010
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____


I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I **do not** have a personal interest in any transactions taken at this meeting.



Signature

July 13, 2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Bruce Williams
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors
(Name of Board)
4. Meeting/IFF Date: July 13, 2010
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☒ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I do not have a personal interest in any transactions taken at this meeting.

Signature

July 13, 2010
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Dorothy Wood
(Name of Board Member)
2. Title: Board Member
3. Agency: Board for Contractors
(Name of Board)
4. Meeting/IFF Date: July 13, 2010
(Date)

5. I have a personal interest in the following transaction:

(Agenda Item)

Nature of Personal Interest Affected by Transaction: _____

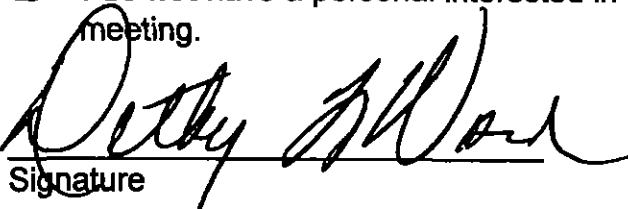
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

☐ I am able to participate in this transaction fairly, objectively, and in the public interest.

or

☐ I did not participate in the transaction.

6. ☐ I **do not** have a personal interest in any transactions taken at this meeting.


Signature

July 13, 2010
Date